

# **INDIANA LOW INCOME HOME ENERGY ASSISTANCE PROGRAM**

## **Program Operations Manual 2016-2017**

**Prepared By:**

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## **SECTION 100 INTRODUCTION**

The Low-Income Home Energy Assistance Program (LIHEAP) Block Grant is a non-competitive, federally funded block grant offered through the U.S. Department of Health and Human Services (HHS). The LIHEAP Block Grant funds individual states to assist low-income families with the high cost of their home energy. Since July 1, 2006, the block grant has been administered by the Indiana Housing and Community Development Authority (IHCDA). The program is managed by the agency's Department of Community Programs. Throughout Indiana, this program is known as the **Energy Assistance Program (EAP)**.

Community based organizations are designated by federal regulation and under contract with the IHCDA as the local agencies administering the Energy Assistance Program. The State has designated **twenty-two (22)** community organizations referred to as "Local Service Providers" (LSPs). Applications will be accepted in person, through a mail-in process, or through another subcontractor. These organizations are responsible for eligibility determination and timely submission of payment transmittals to vendors. These organizations ensure that the program covers all 92 counties.

The Energy Assistance Program will treat all households equitably when determining eligibility. The program will serve low-income households subject to an energy burden. The program will respond promptly to eligible households with a heating emergency. EAP can provide benefits to off-set the high costs of energy, but does not traditionally have the funds available to pay all of a household's energy costs.

IHCDA will render training and technical assistance to the service providers, as needed or requested. Should you have any questions concerning this program, please contact the Community Programs Manager for Energy Assistance:

**Indiana Housing and Community Development Authority  
Toll Free: 1-800-872-0371**

## 101 EAP OPERATING DATES

The PY 2017 statewide Heating Assistance Program will begin **November 1, 2016** and end on **May 12, 2017**. The following program administration dates will apply for the upcoming heating season:

PRE-PROGRAM YEAR SEASON	
Key Dates	Purpose
September 2016	<ul style="list-style-type: none"> <li>• Provide Heating Assistance Program Service Delivery Plan.</li> <li>• LSPs can send mail-in application packets to "at-risk" households and/or households determined needing assistance by local LSPs.</li> <li>• After RIAA Season release, approved applications may be entered into the RIAA system.</li> <li>• Submit to IHCD all local intake and satellite locations with physical addresses, telephone number, and hours of operation.</li> </ul>

EAP HEATING ASSISTANCE SEASON	
Key Dates	Purpose
October 1, 2016	<ul style="list-style-type: none"> <li>• Begin scheduling appointments for the start of the program.</li> <li>• LSP may begin conducting outreach activities (multi-family &amp; senior facilities or other locations where applicants have limited mobility or transportation issues).</li> <li>• LSP is to send its internal control procedures to IHCD.</li> <li>• LSP may begin distributing EAP Applications and/or posting to the LSP website for the general public.</li> </ul>
November 1, 2016	<ul style="list-style-type: none"> <li>• Statewide start of the Heating Assistance Program; all interested persons may seek applications.</li> <li>• Agencies are able to meet with clients for daily appointments as part of their intake process.</li> <li>• Transmittals can be sent to utility vendors.</li> <li>• Applicant Notification letters can be sent to clients.</li> </ul>
December 1, 2016	<ul style="list-style-type: none"> <li>• Start of Moratorium Protection.</li> </ul>
March 15, 2017	<ul style="list-style-type: none"> <li>• End of Moratorium Protection at midnight.</li> </ul>
May 12, 2017	<ul style="list-style-type: none"> <li>• End of EAP Heating Assistance Season program statewide. LSP's are to no longer accept EAP applications.</li> </ul>
May 26, 2017	<ul style="list-style-type: none"> <li>• All incomplete EAP applications must be fully processed and vendors reconciled.</li> </ul>

<b>EAP SUMMER COOL ASSISTANCE</b> <i>(If released by IHCD)</i> <i>The statewide Summer Cooling Assistance Program is an optional program if funds are available.</i>	
Key Dates	Purpose
June 5, 2017	<ul style="list-style-type: none"> <li>• Provide Summer Cooling Assistance Program Service Delivery Plan to IHCD.</li> <li>• Start of Summer Cooling Assistance Program.</li> <li>• Accept new applications for only A/C units only.</li> </ul>
July 3, 2017	<ul style="list-style-type: none"> <li>• LSPs may take applications from new households (not receiving heating assistance), if funding is available.</li> </ul>
August 11, 2017	<ul style="list-style-type: none"> <li>• End of Summer Cooling Assistance Program, LSPs may no longer accept new applications.</li> </ul>
August 25, 2017	<ul style="list-style-type: none"> <li>• All incomplete applications must be fully processed and vendors reconciled.</li> </ul>

<b>STATE EAP ASSISTANCE</b>	
Key Dates	Purpose
October 1, 2016 – September 30, 2017	<ul style="list-style-type: none"> <li>• State EAP Program Year.</li> </ul>
November 1, 2016-August 11, 2017	<ul style="list-style-type: none"> <li>• State Regular applications can be accepted in person.</li> </ul>
August 25, 2017	<ul style="list-style-type: none"> <li>• All State EAP Regular incomplete applications must be fully processed and Vendors reconciled.</li> </ul>
November 1, 2016- August 11, 2017	<ul style="list-style-type: none"> <li>• State Crisis applications can be accepted/State Crisis benefits can be applied to approved clients.</li> </ul>
November 1, 2016 – March 15, 2017	<ul style="list-style-type: none"> <li>• State Crisis: Up to \$150 available for new applicants.</li> </ul>
March 16, 2017-August 11, 2017	<ul style="list-style-type: none"> <li>• State Crisis: Up to \$150 additional available to previous applicant if the full amount hasn't been claimed.</li> <li><b>OR</b></li> <li>• State Crisis: Up to \$300 available for new applicant</li> <li><b>OR</b></li> <li>• State Crisis: Up to \$300 available to previous applicant who has not received any State Crisis.</li> </ul>
August 25, 2017	<ul style="list-style-type: none"> <li>• All State EAP Crisis incomplete applications must be fully processed and vendors reconciled.</li> </ul>

<b>QUARTERLY PROGRAM REPORTING</b> <i>This is the tentative reporting schedule.</i>	
Key Dates	Purpose
January 2, 2017	<ul style="list-style-type: none"> <li>• First Quarter Carry Over Report due to IHCD.</li> </ul>
March 13, 2017	<ul style="list-style-type: none"> <li>• Second Quarter Carry Over Report due to IHCD.</li> </ul>
May 29, 2017	<ul style="list-style-type: none"> <li>• Third Quarter Carry Over Report due to IHCD.</li> </ul>
August 7, 2017	<ul style="list-style-type: none"> <li>• Fourth Quarter Carry Over Report due to IHCD.</li> </ul>

<b>PROGRAM CLOSEOUT</b>	
<b>Key Dates</b>	<b>Purpose</b>
September 30, 2017	<ul style="list-style-type: none"> <li>• Last day to submit transmittals to IHCD.</li> <li>• Last day to submit transmittals to IHCD for State EAP funds.</li> <li>• All quality assurance reviews (at least 30%) of client files must be completed.</li> <li>• Utility Vendor MOUs expire for the current program year.</li> </ul>
November 15, 2017	<ul style="list-style-type: none"> <li>• Closeout Reports due to IHCD. All claims must be submitted for reimbursement.</li> </ul>

### 101.1 Program Operating Times Chart

Quick reference guide to the standard timeframes routinely used within the EAP program:

<b>Critical Timelines for - Intake Process</b>	
<b>Turnaround Time</b>	<b>Response Requirement to Applicant</b>
18 Hours	<ul style="list-style-type: none"> <li>• Life Threatening Crisis Assistance.</li> </ul>
48 Hours	<ul style="list-style-type: none"> <li>• Crisis Assistance.</li> </ul>
7-10 Days	<ul style="list-style-type: none"> <li>• Incomplete Application Denial.</li> </ul>
10 Days	<ul style="list-style-type: none"> <li>• Process time for face-to face appointments, notify of approval or denial.</li> <li>• Applicant written appeal to LSP.</li> <li>• LSP written appeal response to applicant/client.</li> </ul>
60 Days	<ul style="list-style-type: none"> <li>• Maximum time period to process mail-in application, &amp; notify applicant of approval or denial.</li> <li>• Notify mail-in applicants after eligibility is determined.</li> <li>• Denied applicants may submit new application (based on initial application date).</li> <li>• Turnaround time client has to provide requested documentation.</li> </ul>

## 102 APPLICATION SITES

A household must apply for the Energy Assistance Program at the local office of their primary residence or at another site authorized by the LSP:

- Township Trustee or other LSP subcontractor who has received training from their local LSP and has agreed to take applications; or
- mail-in application process

IHCDA must be informed of all local application sites, addresses, phone numbers, and times of operation by **September 7, 2016**. This information may be included in the agency's Grantee Plan Packet submitted to the Community Programs Analyst.

The LSP, or its subcontractor, is **obligated** to give an application to anyone who requests one. Clients **may not be denied** the right to receive or submit an EAP application to the LSP or any of its subcontractors. The agency will review and determine EAP eligibility based **on information received from the clients and the LSP's** available budget.

When the household applies, it is incumbent upon the LSP to make a *timely* and *accurate* determination of the household's eligibility for benefits. After **November 1**, households must be notified in writing of their eligibility and the amount of their benefit, or their denial, within ten (10) working days of the application's completion, if the application was taken via an appointment. For mail applications, notification of approval or denial must be completed within 60 days of application **receipt**. Copies of the notification letters, either approval or denial, must be included in the client's file. Failure to process and distribute benefit notifications may result in monitoring findings.

### **103 APPROVED APPLICATIONS**

A household applies for benefits on the Energy Programs Application form. Indiana *defines an "application" as submitting a completed Energy Programs application form with the applicant's signature (or designee), income documentation, utility bills, and verification of dwelling and social security numbers*. Application is not setting up an appointment or receiving an application. Once the application has been submitted, the LSP will review for completion, accuracy, eligibility, and approval.

The LSP must ensure that applications are complete and that all applications are signed by the applicant or household representative and the intake worker or authorized signatory of the LSP and placed in the applicant file. If approved, the EAP benefit amount should be determined and recorded on the application. The household is to receive a notification letter for their records showing that they have applied for benefits. The application is not to be sent to the vendor by the LSP. **A household application may be approved only one time during the heating season.**

Additionally, all approved households should be provided a "**Things for YOU to Remember**" Form (See Appendix "A"). A signed copy of this form should be placed in each client's file. The signed "Things for YOU to Remember" forms are not required for mail-in applications, but should be included in the mail-in packet.

The application date is the date the agency receives a completed application. Applications should not be processed without all required information to determine eligibility. If the application is processed prior to the completion, the LSP may be required to pay back a portion or all of the benefit during the monitoring visit. Please see Appendix W for a complete list of required documents. LSPs **must** enter all

applications into the RIAA database. The LSP must also maintain an electronic copy of the application as a backup outside of the RIAA system. Hard copies are no longer required.

Applications for staff, board members and/or their relatives are subject to an additional review, as identified in the LSPs Internal Control Policies and Procedures. See Appendix WW for relationship definitions for those who require additional review prior to approval (See Program Guidance LI-014-01 in Appendix).

**Only approved applicants are protected from disconnection by the moratorium.**

The EAP and Weatherization Assistance applications have been combined to ensure that those clients with the highest heating costs but lowest income are referred to Weatherization services. Any household whose application indicates that Weatherization services are needed, such as indicated by a high point total on the current program year Benefit Matrix scale, must have the application and copies of the income verification passed on to the Weatherization department of the LSP. The agency must identify a weatherization referral on the EAP application.

#### **104 INCOMPLETE APPLICATIONS**

An application is considered incomplete if the household has failed to provide all documentation necessary to complete the client eligibility review. LSPs **must** enter incomplete applications into the RIAA database. This is a new requirement beginning PY2016. The LSP must also maintain an electronic copy of the application as a backup outside of the RIAA system. Hard copies are no longer required. The household should receive a letter identifying items that need to be submitted to complete the application and include a timeline for submission. The letter should indicate that the file will be denied if the items are not submitted within 10-30 days based upon the LSPs policies. **Applicants must submit a new application, with updated income information if their application is incomplete for more than 60 days.**

**IHCDA Recommendation:** At the end of the heating season, LSPs should change the application status to “denied” since the application was not processed. To keep track of incomplete applications, the LSP should run the Application Status Report in RIAA (See §1400).

**IHCDA Recommendation:** LSP should use the Application Notes within RIAA to assist with Quality Assurance (QA) reviews and monitoring.



## 105 DENIED APPLICATIONS

If upon completion of the EAP application, a household is found to be over the income guidelines or does not meet other criteria of the Energy Assistance Program, the household is ineligible for EAP benefits. Within ten (10) working days of completing the application, an ineligible household must be notified in writing of the reason(s) for their denial and advised of the right to appeal the decision. Mailed applications must be notified of denial within sixty (60) days of receipt.

The "**Applicant Notification**" form (Appendix B) must be used to notify the applicant of their denial. LSPs must retain documentation of the household's ineligibility and appeal rights notification, in the client's files. LSPs should retain a copy of the in denied application, at least until the monitoring review has been completed.

An application may be denied for any of the following reason, but not limited to:

1. Household is over income
2. Household does not meet all eligibility criteria
3. Household failed to submit required documents to complete eligibility process
4. Household falsified information or documentation which was discovered by the LSP prior to awarding benefits.

If there is an appeal, the first appeal is to the LSP then to IHCD for a final decision, if needed (See § 1102.1)

**Applicants may submit a new application and required documentation 60 days from the initial application date.**

## 106 LSP EMPLOYEE or SUB-CONTRACTOR APPLICATIONS

Applications from households with members employed by the LSP or any of its subcontractors (i.e. Township Trustee) or by employees family members or by any governing board members, must have their application approved by the Executive Director of the LSP, or the Executive Director's designated staff based on the agency's internal controls. Likewise, any family members of the Executive Director must have their application approved by an active board member.

## 107 LIFELINE / LINK-UP

Lifeline – Lifeline provides qualified consumers with a discount on monthly service charges for their primary home phone line, even if it is a cell phone.

Link-Up – Link-Up lowers the cost eligible consumers pay for setting up new phone service at their home, including cell phone service.

The Energy Program Application offers clients a reminder to contact their phone carrier for information about this program.

Approved EAP households qualify for Lifeline and Link-Up.

## 108 MORATORIUM

### 108.1 Indiana Code on Utility Shutoff Moratorium

The Indiana General Assembly has enacted Indiana Code 8-1-2-121 governing the termination of natural gas and electric service without the customer's request. This law, which first became effective in 1983, states that a utility (municipally-owned, privately-owned or cooperatively-owned) may not, during the period from December 1 through March 15 of any year, terminate residential utility service to any customer who is eligible for and who has applied for the Energy Assistance Program.

The language contained in the Indiana Code does not limit moratorium protection based on the method that the regulated utility uses to provide electric or gas service. Therefore, vendors who render service using limiters, meters and prepaid services must provide moratorium protection to EAP clients as prescribed in IC 8-1-2-121 and the annual EAP memoranda of understanding.

Utilities may not disconnect service to EAP recipients if:

- the customer has submitted a complete application and eligibility has been determined by the local LSP or their subcontractor; and/or,
- the customer has furnished proof to the utility provider of his/her application to receive such benefits, or the local LSP has notified the utility in writing.

See the complete Utility Shutoff Moratorium in the Appendix "O".

**Who is a covered utility?:** A covered utility is an electric or gas utility, including a municipally owned, privately owned, or cooperatively owned utility. The definition of "municipally owned utility" means every utility owned or operated by any city or town in Indiana.

## **108.2 Moratorium Qualifications**

Any household who has qualified for EAP on or after October 1 cannot have its service disconnected between December 1 and March 15. A “qualified” household is defined as a household that has submitted a complete application to its local LSP or designee, and a staff person at the agency has determined or is determining that eligibility meets the program requirements based on household income, number of household members, and utility bills. **The household must also have an account in good standing, which is defined as not in disconnect status on December 1.** (See Section 701 Internal Controls for all of the components of a complete application.)

Simply submitting an application does not automatically make a household eligible. If the local LSP does not have sufficient resources to conduct an eligibility review, then the household is not protected.

## **108.3 Eligibility without Benefits**

Once the household has submitted an application and has been deemed or is being deemed eligible for the EAP benefit, the client is protected under the moratorium, whether a benefit has been received or not. Clients deemed eligible for EAP, without a benefit, will be placed in a HOLD status. All clients deemed eligible, but in a HOLD status, will be placed on a report. That report will be submitted to the utility vendors to ensure moratorium protection. (See §1400). Once funding is available, clients on the Hold Status Report will be approved, and the vendors will be contacted about EAP benefits.

## **108.4 Disconnection Prior to December 1**

If a utility has negotiated a payment arrangement with a client who has qualified for EAP and that client **violates** that payment arrangement before Dec. 1, the utility has the right to disconnect that client prior to December 1, as that client is not yet protected by the moratorium. If the same client has **active** service as of December 1, the utility may not disconnect that client until **March 15**.

## **108.5 Benefit Refusal**

A utility vendor may refuse an EAP benefit at any time during the heating season. Benefit refusal does not prevent moratorium protection. A client who has submitted a complete application and is being deemed or has been deemed EAP eligible and has active service on December 1 will receive moratorium protection through March 15.

## **108.6 Landlord/Tenant Agreements and Moratorium Protection**

Circumstances may arise where landlords and tenants must create a utility payment arrangement to ensure that the utility bills are paid on time. This policy provides clarification on moratorium protection when the payment arrangement between the landlord and client is breached.

If the utility is listed in the landlord's name, but the client has breached payment agreement with the landlord, the landlord may request service disconnection during the moratorium period. Though the client was deemed eligible for EAP assistance, the landlord is the customer of record on the utility bill.

If the utility is listed in the client's name, but the landlord has breached the payment agreement, then the client is protected under the moratorium because the client is the customer of record on the utility bill.

## **108.7 Disconnection during Moratorium**

Regulations allow utilities to disconnect service for a customer otherwise covered under the moratorium in the following circumstances:

- If a condition dangerous or hazardous to life, physical safety, or property exists.
- Upon order by any court, the Indiana Utility Regulatory Commission (IURC) or other duly authorized public authority.
- If fraudulent or unauthorized use of electricity or gas is detected, and the utility has reasonable grounds to believe the affected customer is responsible for such use.
- If the utility's regulating or measuring equipment has been tampered with and the utility has reasonable grounds to believe that the affected customer is responsible for such tampering.
- Death of the single household customer (moratorium applies to the household not the house)

## **109 LIMITED ENGLISH PROFICIENCY**

LSPs are required to ensure that persons with limited English proficiency (LEP) have meaningful and equal access to benefits and services. The LSP is required to provide spoken translation in addition to translated written publications as some individuals may not read English or other language. The LSP must have a mechanism to communicate orally with people with LEP.

## SECTION 200

### EAP BENEFITS AND SERVICES

Financial eligibility for Energy Assistance benefits (heating, crisis, and summer cooling) is limited to households with a combined annual income at or below **150%** of the current Office of Management and Budget Poverty Guidelines.

A new benefit formula was implemented in 1998, which awarded the largest benefits to households with the highest energy costs and the lowest income levels based on family size. Heating benefit amounts are calculated by awarding points based on factors within five categories of a benefit matrix:

- ***Poverty level*** based on household size
- ***Dwelling type***
- ***Housing status***
- ***At-risk*** (family) ***status***
- ***Fuel source***

The amount of the benefit is computed at a rate determined by IHCD based on available funding and awarded on the benefit matrix, plus a regional differential, and an additional \$75 for the secondary utility needed to keep the heating system operational. A household may be eligible for an additional crisis benefit if the regular benefit is not enough to prevent the crisis situation. The client may receive up to \$200 in crisis assistance for regulated utilities or up to \$400 in crisis assistance for non-regulated utilities, like bulk fuel.

## 201 HEATING ASSISTANCE BENEFIT LEVELS & HOUSEHOLD INFO

The benefit computation is completed using the **Energy Assistance Program Benefit Matrix** form (see Appendix C). The matrix sections and instructions follow:

### 201.1 Household Information

Name of Head of Household:	
SSN or Case No.:	County:
Household Income:	Date of Application:

- Enter household and case identification as indicated.

## 201.2 Poverty Level Determination

The Poverty Points are determined by comparing the household's income level and size to the Poverty Guidelines. Points range from 2-6 based on where the household falls on the following chart.

HOUSEHOLD SIZE	<50% Mo. Yr.		<100% Mo. Yr.		<150% Mo. Yr.	
1	\$495	\$5,940	\$990	\$11,880	\$1,485	\$17,820
2	\$667.50	\$8,010	\$1,335	\$16,020	\$2,002.50	\$24,030
3	\$840	\$10,080	\$1,680	\$20,160	\$2,520	\$30,240
4	\$1,012.50	\$12,150	\$2,025	\$24,300	\$3,037.50	\$36,450
5	\$1,185	\$14,220	\$2,370	\$28,440	\$3,555	\$42,660
6	\$1,357.50	\$16,290	\$2,715	\$32,580	\$4,072.50	\$48,870
7	\$1,530.42	\$18,365	\$3,060.83	\$36,730	\$4,591.25	\$55,095
8	\$1,703.75	\$20,445	\$3,407.50	\$40,890	\$5,111.25	\$61,335
Add Member	\$173.33	\$2,080	\$346.66	\$4,160	\$517.50	\$6,210
<b>POINTS:</b>	<b>6</b>		<b>4</b>		<b>2</b>	

CATEGORY	FACTORS	POINTS POSSIBLE	POINTS AWARDED
Poverty Points	From Chart Above	2, 4, 6 points	

- Compute the household's gross annual income.
- Locate the point on the chart where the income and household size falls and circle the amount and the number of points to be awarded.
- Enter the number of points on the matrix under Poverty Points.
- The federal poverty guidelines are updated around January each year. Indiana waits to update the guidelines until the start of the summer cooling program year in June each year.
- For current guidelines:  
<https://www.federalregister.gov/documents/2016/01/25/2016-01450/annual-update-of-the-hhs-poverty-guidelines>).

### 201.3 Dwelling

Dwelling points are awarded based on the relative cost of heating three types of dwellings. A manufactured home on a foundation is classified as a single, site built.

CATEGORY	FACTORS	POINTS POSSIBLE	POINTS AWARDED
Dwelling	Mobile Home	2	
	Single, Site Built	2	
	Multi-Unit (Duplex or	1	
	Greater)		

- Award two (2) points if the household lives in a mobile home;
- Award two (2) points if the household lives in a single, site built;
- Award one (1) point for households living in a duplex or multiplex (apartments);
- Maximum points are two

### 201.4 Housing Status

Housing Status points are awarded to factor in whether the household is responsible for all of its utility costs or receives assistance in meeting those costs. Clients may be classified as subsidized or non-subsidized.

Section 42 funded properties are not considered subsidized. Section 42 clients are eligible for crisis assistance.

CATEGORY	FACTORS	POINTS POSSIBLE	POINTS AWARDED
Housing Status	Non-subsidized	1	
	Subsidized	0	

- Award one (1) point if the household pays its own heat utility costs (included or not) and their rent is not subsidized.
- Award zero (0) points if the household's rent is subsidized regardless of who pays the utilities.
- Maximum points are one (1).

## 201.5 At-Risk

The At-Risk households for the Energy Assistance Program include the elderly (60+), individual with a disability, **veterans**, and households with children 0 to 5 years old. (See **Section 302**)

CATEGORY	FACTORS	POINTS POSSIBLE	POINTS AWARDED
At-Risk	Elderly (60+), individual with a disability, <b>veterans</b> , and/or children 0-5 years old	3	

- Award three (3) points only if the household has a member who fits one of the At-Risk factor definitions.
- Maximum points are three (3).

## 201.6 Fuel Source

Points are awarded for the primary Fuel Source based on the relative costs of heating with the various types of fuel.

CATEGORY	FACTORS	POINTS POSSIBLE	POINTS AWARDED
Fuel Source	Bulk Fuels (Kerosene, LP Gas, Oil, Wood, Coal, Pellets)	3	
	Natural Gas	2	
	Electric	2	

- Award three (3) points if the household heats with one of the bulk fuels (kerosene, LP Gas, oil, wood, coal, or pellets)
- Award two (2) points if the household heats with natural gas.
- Award two (2) points if the household heats with electric.
- Award zero (0) points if the household has heat included as a part of their rent regardless of fuel type.
- Maximum points are three (3).



## 201.7 On-Time Payment Incentive

One (1) point is awarded if the household is current (no outstanding balance) on their most recent primary heating source.

CATEGORY	FACTORS	POINTS POSSIBLE	POINTS AWARDED
On-Time Payment Incentive	If a household is current (no outstanding balance) on their primary heating source bill. Bulk fuel households must not be in crisis.	1	

**201.8      Total Points**

Total points are used to determine the amount of the EAP benefits.

Notes & Comments:       <i>Heat and electric are included in rent, benefit is \$0.</i>		= Total Points	
		X \$25 dollar amount per point	
		+ Electric	\$75
		+ Regional Differential (\$5 South, \$10 Central, \$15 North)	
		+ Crisis EAP	
		+ State EAP Regular (If applicable)	
		+ State EAP Crisis (If applicable)	
Intake Worker:	Date:	= TOTAL EAP BENEFIT	

- Add all of the points in each category for the Total Points.
- **Multiply that amount by \$25 per point and enter the subtotal.**
- Add the \$75 for the Electric utility, which is already on the form.
- Enter the correct Regional Differential of \$5 for the South region, \$10 for the Central Region, or \$15 for the Northern region. (See Appendix “J”-Regional Map.)

- Enter the amount of any Crisis benefit, which the household is getting. (See § 202 for Crisis benefit rules.)
- Enter the amount of the regular State EAP benefit, which is only applicable to homeowners.
- Enter the amount of State EAP Crisis, which is only applicable to homeowners. (Homeowners may also return for a second Crisis benefit after Moratorium, agencies should update the matrix at that time.)
- Add the amount of the points from the regular benefit, the electric benefit, the regional differential, the Crisis, and State EAP Regular and Crisis (if applicable) to determine the **Total EAP Benefit**.
- If a household's subsidized or unsubsidized rent payment includes the cost of both heat and electric, the household's EAP benefit to \$0.
- **The minimum benefit available that includes both crisis and regular is \$205. The maximum benefit available that includes both crisis and regular is \$890.**

## 201.9 Utilities Included with Rent

If a household's subsidized or non-subsidized rent payment includes the heat and electric utility cost then the applicant does not have an energy burden. The household's EAP benefit will be \$0.

### A. Subsidized households

If the heat and/or electric are paid separately, by the client, that benefit should go directly to the utility. **No crisis dollars should be awarded.**

### B. Non-Subsidized Households

If the heat and/or electric are paid separately, by the client, that benefit should go directly to the utility. **Crisis dollars may be awarded.**

## 202 CRISIS ASSISTANCE BENEFITS

The LIHEAP statute requires that states reserve a reasonable amount of funds each fiscal year for crisis intervention. In Indiana, these funds make up the Crisis Assistance line item in each LSPs budget (See § 1200) and are reserved thru March 15 each program year. LSPs are required to set aside 8 percent of their budget to assist with crisis applications. **Funds budgeted for crisis should be used at the time of application in an energy emergency.** *For State EAP, clients should receive the crisis benefit at the time of initial application. However, clients are allowed to return after March 15, for an additional benefit if there is a new documented crisis (see section 202.1). Reference: LIHEAP Statute Section 2604 (c) (2).*

## **202.1 Crisis (48 Hour Response)**

*Reference: LIHEAP Statute Section 2604 (c) (1).*

A LIHEAP-eligible crisis situation is an energy emergency when there is a potential shut-off or depletion of the energy sources and is not considered a life-threatening crisis situation. Non-life threatening crisis situations must be alleviated within forty-eight (48) hours from the time of application.

Utilities:

- Has received a current Notice of Disconnection on residence primary heating sources, such as the electric or national gas utilities but not yet disconnected.

Bulk Fuel:

- Low on bulk fuel (at or below 25% of a tank), not out of fuel.
- Households that heat with biofuels, such as corn or wood pellets, coal or wood, may self-declare that they are within ten (10) days of running out of their primary heating source.

## **202.2 Life-threatening Crisis (18 Hour Response)**

*Reference: LIHEAP Statute Section 2604 (c) (2).*

A LIHEAP-eligible life-threatening crisis must be alleviated within eighteen (18) hours from the time of application. A life-threatening crisis situation is defined when any of the following are met:

- Heating and/or electric service is currently shut off or disconnected, out of bulk fuel (empty tank).
- Documented medical need when there is an extreme safety concern.
- Need of propane tank safety inspections.

## **202.3 Crisis Intervention**

The LIHEAP statute (42 U.S.C. 8623, § 2605) requires a timely and effective energy crisis intervention program for households in need of immediate assistance.

Timely Intervention - If the eligible household is experiencing an energy emergency the local LSP and/or its subcontractor must provide intervention that will resolve the crisis **within 48 hours from the time of application**. Assistance must be provided **within 18 hours of the time of the application**, if a life-threatening crisis exists. This response must be designed to protect the health and safety of the household members. For the LSPs part, the extension of Crisis benefits and other services constitutes a proper response to the emergency. Appointments are scheduled when the first available time slot becomes available.

Because LSPs take applications on an appointment basis, the “time of scheduled appointment” may be later than when the household in crisis contacts the agency.

Agency procedures must be in place to address a crisis within the time frames noted above and from the date of the determination by the agency that the household is in crisis. **This can be accomplished by maintaining open appointment slots each day to address crisis applications.**

At minimum, agencies are required to complete the following steps to mitigate a crisis situation.

- 1) Once a household contacts a LSP about a crisis situation, the agency must schedule an appointment with the first available opening in the appointment schedule. When the appointment is scheduled, the agency should advise the household to contact the utility vendor(s) as notification that an EAP appointment has been scheduled and inquire about payment arrangement options until the appointment is completed.
- 2) At the appointment, the agency must ensure that the client submits a completed application to expedite the eligibility process.
- 3) The agency should enter the application to RIAA as a date and time stamp that the application has been submitted. Depending on the level of crisis, the agency has up to 48 hours to mitigate the issue.
- 4) The agency should determine eligibility as soon as the application is completed. The agency should contact the client if the regular and crisis assistance available is not enough to prevent the crisis and additional payments must be made to mitigate the crisis. The agency should ask the client to provide documentation that the payments were made.
- 5) Once eligibility has been determined, the agency must immediately contact the utility vendor and client about EAP approval.

#### **How LSPs should handle crisis clients during non-business hours**

All LSPs must provide clients with access to information about mitigating a crisis during non-business hours. LSPs should identify local organizations that provide utility assistance when the offices are closed. For Indiana, LSPs may use Connect 2 Help, commonly known as 211, as the primary referral source or develop additional local methods.

#### ***Intervention Strategies - Appropriate intervention on the agencies part includes, but is not limited to:***

- **Crisis Assistance.** When households whose regular heating benefit cannot assure service (regulated) or guarantee delivery (bulk fuel), the agency must use Crisis Assistance funds to alleviate the situation. Crisis Assistance must guarantee continuation of service or not be offered.
- ***Case Work Activities.*** If the authorized heating and crisis benefits cannot resolve the emergency, the agency must provide services to the household to secure additional funds. These services include referrals to other sources of utility assistance, intervention on behalf of the family with utility vendors,

providing budget counseling with an emphasis on maintaining rent and utilities.

- **Case Management.** For more extensive intervention with the family, the LSP should have procedures for referrals to the agency's case management component, i.e. Family Development Consultants, or Family Self-Sufficiency caseworkers.
- **Energy Education.** Crisis clients should be referred to the EAP Energy Education component.

The Indiana program includes additional benefits and services. Though clients receive moratorium protection between December 1 and March 15, agencies should extend crisis benefits consistently during the entire heating season, including the moratorium period.

## **202.4 Crisis Assistance Benefits for Regulated Utilities**

In addition to the regular benefit, the agency may extend up to **\$200** in Crisis Assistance to a household with a **regulated** utility energy emergency as defined above.

The crisis benefit will be based on the family's circumstance at the time of application. The amount of the benefit will be based on the actual amount needed to restore service or prevent disconnection, up to \$200. This applies at any time that the household initially applies; *before, during, or after* the moratorium period.

To calculate the crisis benefit, the agency will take disconnection amount listed on the bill and subtract the amount of the EAP regular benefit. The crisis benefit amount will be the difference, up to \$200 for regulated utilities.

The crisis assistance may be split between the two utilities, as long as the total amount does not exceed \$200 for both utilities.

**Households receiving less than the \$200 maximum Federal LIHEAP benefits are not entitled to any additional amount later in the program.** *This applies even if the household was not originally in an emergency and did not receive any Crisis benefits at the time of the initial application.*

## **202.5 Crisis Assistance Benefits for Unregulated Utilities**

Clients of unregulated utilities experiencing an energy emergency are eligible for the maximum benefit of **\$400** in Crisis Assistance.

Households that use bulk fuel vendors *are not* covered by moratorium protection and may be in an energy crisis at any time throughout the winter. Crisis assistance for bulk

fuel households may be extended up to the maximum (\$400), anytime from the beginning of the current year's program until the end of the heating season (May). This includes offering the maximum crisis at time of application to ensure a minimum delivery or prevent the client from coming back for the crisis benefit after the regular benefit is extended. However, clients can receive a regular benefit at the time of application and come back at a later date for the crisis assistance, if necessary and as long as the agency has funds available to offer crisis assistance.

The crisis assistance may be split between the two utilities, as long as the total amount does not exceed \$400 for both utilities.

In the event that gas prices spike, similar to PY 2014, IHCD may release additional funds for its bulk fuel households, as they are not covered under moratorium.

## **202.6 Limiters, Meters and Prepaid Services**

### **Prepaid Bulk Fuel Accounts:**

Some bulk fuel customers have prepaid services called "cash for delivery" or "cash only" accounts. Prepaid services are eligible for EAP benefits if the account is in the name of applicant household member or landlord.

### **Metered Bulk Fuel Accounts:**

Some bulk fuel clients have "metered propane tanks". The metered propane tank is a computerized bulk fuel tank that is controlled by a centralized computer system. Clients have an automated delivery schedule based on the amount of fuel in the tank, time since the last delivery, and outside temperature. The client receives a monthly bill that is based on the amount of fuel used within a 30- day window. Clients who fall behind on their monthly bill will receive a notice of disconnection with a disconnection amount. If the disconnection amount is not paid, the tank will be turned off from the centralized computer. The client does not switch to a "cash for delivery" contract. The bill must be paid before the tank is turned back on. Clients with these types of tanks are still considered unregulated and are eligible for up to \$400 crisis assistance. Crisis assistance must be allocated, based on the amount of the bill at the time of application.

Vendors using limiters, meters and prepaid services must provide moratorium protection to EAP clients. Vendors may impose daily or other limits to clients wherein a brief interruption of service is used to notify a client they are nearing or over the maximum usage.

NOTE: An interruption in service longer than thirty minutes to an hour may be a breach of Indiana Code: 8-1-2-121.

## 202.7 Budget Plans and Payment Arrangements

### Budget Plans:

1. **Regulated Utilities:** Clients with regulated utilities on a budget billing plan are ineligible for crisis assistance since the monthly utility bill is being maintained by a pre-arranged payment plan. Clients who have a payment arrangement with their utilities are ineligible for crisis unless they produce a disconnection notice that the payment arrangement has been breached.
2. **Unregulated Utilities:** Clients with unregulated utilities who have a **negotiated** payment plan are ineligible for crisis. The payment plan ensures that clients receive bulk fuel deliveries on an automated schedule, as opposed to calling when the tank is low.

### Prepaid Accounts:

For prepaid accounts, it is understood that any payment will result in a credit. Prepaid customers are eligible for crisis assistance in addition to their regular benefit.

The client should provide a notice or other statement that the bill is past due (and will not receive an automatic tank refill for unregulated utilities) or a have a negative balance (regulated utilities) and that the service will be terminated.

To calculate crisis on a prepaid account the LSP will determine the client's daily average utility usage and multiply by 30 (days) to get a total monthly amount. Add the amount owed to the utility to get a total. Use the established crisis guidance and monetary thresholds for regulated and unregulated utilities to determine if crisis assistance can be provided.

### Example

$\$5.34 \text{ (daily usage)} \times 30 \text{ (days)} = \$160.20 \text{ (monthly average)} + \$58.21 \text{ (amount owed)} = \text{\$218.41 (crisis eligible amount)}$

## 202.8 Assurance 16 Activities

According to Assurance 16, Energy Assistance Programs may budget up to five (5) percent of their program funds toward outreach, needs assessments, counseling, and activities that encourage households to decrease their energy burden. Agencies are allowed to budget up to three (3) percent of their program funds toward "Program Support". EAP Program Support funds (See Section 1200) may be used for traditional outreach activities designed to increase awareness of and participation in the program, activities such as:

- Staff activities in the delivery of general information about EAP, as well as other energy-related programs;
- cost of materials such as EAP program pamphlets, energy education information;
- postage for mail-in applications;

- maintenance of seasonal outreach sites; and
- overhead costs associated with these activities.

A goal of the program is to increase the participation of at-risk families, by providing outreach that should be directed toward the elderly, disabled, **veterans**, and households with children age five or younger.

EAP funding may be used for a range of social services, everything from short-term crisis intervention to long-term services under the Family Development Plan.

**IHCDA Recommendation:** LSPs are encouraged to examine the way in which households are evaluated at intake for further services beyond the provision of the utility assistance benefit and to have in place referral procedures to other areas of the agency, or to other agencies in the community, for delivery of those services.

Assurance 16 (outreach and social services) funds may be used in longer-term activities with Energy Assistance families as established in the LSP Family Development Plan, including case management in the areas of:

Employment	Adult Education
Housing	Health
Transportation	Child Development and Education
Income Maintenance	Nutrition
Support Systems	Family Relations/ Domestic Violence
	Alcohol and Drug Abuse

Many LSPs have been working to strengthen their case management function. Through training and cost allocation, agencies have enhanced their ability to provide social services to EAP households. Through Indiana Family Development Program with INLSP, agencies can develop staff equipped to respond to families in need of case management.

By combining funds such as Community Services Block Grant (CSBG), Weatherization client education funding and other sources, agencies have an opportunity through cost allocation to fund social service positions to work with EAP households on an intensive basis.

An agency that will provide services using the Family Development process, may budget up to 2% of the agency's contract for such activities. (See Section 1200)

## **202.9 Energy Education**

Households who participate in this program should have an approved EAP application. Energy education can be provided in person, virtually or via mail. **To improve energy education initiatives, LSPs are encouraged to provide pre- and post-tests to the energy education clients.**



For energy education, **LSPs** can budget \$25 per person receiving services.

## **202.10 Weatherization Assistance Program (WAP)**

The Weatherization Assistance Program is a federally funded program through the U.S. Department of Energy (DOE) and Health and Human Services (HHS) LIHEAP administered by the State of Indiana through the Indiana Weatherization Assistance Program. Provisions in the LIHEAP Block grant law require assurances that LIHEAP and WAP coordinate. Indiana fulfills this function by referring eligible homeowners to WAP.

Households with income up to 200% of poverty for DOE and 150% of poverty for LIHEAP should complete EAP applications. Clients should be advised of the weatherization program and asked if he or she would like to receive a referral to the weatherization program. Referrals are documented in the EAP RIAA system which refers clients to the LSPs weatherization program. Clients with no income being referred to the Weatherization Assistance Program must complete a Zero Income Claimant affidavit notarized prior to completing the referral.

## **203 EAP BENEFIT PAYMENTS**

The purpose of EAP funds is to ensure that **all eligible** clients **within the State of Indiana who have an energy burden** have utility service **primarily** during the winter months. EAP benefit payments are made **directly** to the utility vendors on behalf of the eligible household for current utility accounts or past due utility accounts.

### Vendors include:

- **Regulated Heating and Electric Utilities** who provide electricity and/or natural gas.
- **Bulk Fuel, LP, and other non-regulated vendors** who provide fuel oil, LP gas, coal, wood, kerosene **or pellets**. The **delivery** fee for fuel oil, LP gas, coal, wood, kerosene, **or pellets** should be part of the benefit.

Vendors are not allowed to deduct sales tax from the LIHEAP benefit. All sales tax should be applied to the client's utility bill.

When applying benefits, agencies should apply benefits in the following order:

- Regular Benefits
- Crisis Assistance
- State EAP
- State EAP Crisis Assistance
- 2<sup>nd</sup> State EAP Crisis Assistance (if necessary)

NOTE: *Transactions involving home energy payments are no longer exempt from the state gross retail sales tax. The LIHEAP sales exemption rule lasted from July 1, 2006 to June 30, 2009.*

### 203.1 Regular EAP Benefit

Once the total benefit amount has been calculated using the Matrix, benefits will be allocated as follows:

- \$75 will be given toward the electric benefit
- The remaining portion of the benefit will be given to the primary heating source

If the primary heating source is total electric, then the entire benefit will be given to the electric utility.

If there is an additional amount owed by the household, on the heating and/or electric source, a crisis benefit may be used to pay it. To be eligible for the crisis benefit, the household must have lost service, or be in danger of losing service by providing a utility bill with a “**disconnect**” amount showing. The allowable crisis benefit is the actual amount needed to maintain or restore service, up to the maximum crisis benefit of \$200 for regulated fuel or \$400 for bulk fuel. The agency must show in the client file how the crisis award was determined.

As with regular benefits, crisis benefits may be used to pay on both the primary and secondary utility. The crisis benefit may be applied to the heat or the electric utility bill, or split among the two as the agency deems appropriate with a total maximum of \$200 offered for regulated customers or \$400 for bulk customers.

The LSP will ensure that the benefit amount, with crisis, is enough to prevent disconnection and maintain regular service. **If the benefit amount including crisis is not enough to prevent a disconnection, the client will be asked to make a payment to the utility vendor for any past due amounts or deposits before the pledge is made.** The agency reserves the right to refuse a benefit if the pledge amount is not enough to maintain active service and the client lacks the funds to pay the remaining balance or subsequent deposits.

### 203.2 Regular Benefits on a Credit Balance

If an applicant household has a credit balance in excess of \$500 on one of the **regulated utilities only** at the time of the application, they will not be considered eligible for assistance to that bill until the credit balance is under \$500. The client is eligible for the benefit that meets other program requirements. Once the credit balance is under \$500, then the client can come back and request the benefit.

If the client’s credit exceeds the \$500 limit for a regulated utility, then the client may request to waive the benefit and add the funds to the other benefit. The waiver must be approved by the LSP’s Program Manager and a waiver form must be completed.

Each LSP must create a waiver form. A copy of the waiver must be located in the client's file. Upon approval, it must be explained to the client that he/she will be ineligible for additional benefits until the next program year.

If the client has a credit balance on the **unregulated utilities**, the client is eligible for both the heating and electric benefits, regardless of the credit balance. A sample waiver can found at Appendix V.

### **203.3 Inoperable Heating Source**

If the heating source for which the home is designed is not operable either due to **intentional** disconnection or mechanical failure, the regular benefit should not be provided to the applicant, even if they are heating with **another source (such as electric space heaters or other unsafe alternatives)**. The client is eligible for the electric credit only.

The client **may not** waive the heating benefit, intended for the primary heating source (in this scenario the primary heating source is not electric), in order to apply the benefit to the electric account or to receive a larger electric benefit. If the heating source is later deemed operable, during the program year, the client may return for the regular benefit for which they qualified. If the client returns with an operable heating source, the intake staff should update the original application, update the file, update the notification letter, and add supporting documentation of the repair or replacement.

### **203.4 Replacement Heating Source**

If the client replaces the heating source for which the home was designed with a new primary heating source, the household may receive the regular benefit. *For example, client no longer heats with an LP furnace and has installed an electric baseboard heating system. The household must provide documentation, such as a receipt for installation, if applicable.*

All primary heating source changes are subject to verification and households who change their heating source multiple times within a five-year period may be asked for additional documentation.

### **203.5 Electric Utility Payments**

Even though a household may not depend on electricity as a source of heat, it is generally required to operate the heating appliance. **To ensure effective operation of their primary heat**, it is important that the electric utility be **maintained**. The benefit matrix adds **a set amount to each household** for the electricity.

If a household does not have electric service, the household is not eligible for the additional electric benefit.

It is the intent of the program that **the set amount be** allocated from the regular benefit to the electric utility. The LSP may not apply more regular benefit dollars to the electric utility and less to the heat.

**Crisis Benefit:** However, up to the maximum of \$200 for regulated utilities (or \$400 for a bulk fuel heated household) in crisis benefits may be applied to the electric utility if it is not the primary heat source and the crisis amount is warranted. The LSP must show in the client file how the crisis award was determined.

## **203.6 Heating with Wood**

For eligible households using wood (including wood or corn pellets) as their primary heating source, LSPs should ensure that households receiving wood meet the following criteria:

- Wood costs are **not covered** when it is a supplemental heat source.
- Applicants who cut their own wood are **not eligible** for heating assistance benefits.
- Wood stove or a fireplace are acceptable means to heat a home.

Clients who heat with wood must be issued a “wood certificate” or voucher by the LSP. This allows the client to select a vendor of their choice who has a valid MOA for the current EAP season or is willing to complete the MOA process. The client and vendor would then complete the “wood certificate” upon product delivery, and the vendor would return the voucher to the LSP for payment.

**IHCDA Recommendation:** **To better serve wood clients, LSP should assist clients by maintaining a list of local wood vendors or by contacting neighboring LSP territories.**

Wood should meet the following standards:

- Wood: all wood vended for EAP must be of a good density, such as cherry, hickory, oak, beech, birch, and ash. Types of wood not recommended are maple, elm, gum, sassafras, tulip, aspen, white pine, or poplar.
- Rick: a measurement which is 4' x 8' by 16" - 20" deep
- Seasoned Wood: at least one year old and dry
- IHCDA recommends that no green wood in more than 1/3 to 2/3 seasoned ratios be accepted for delivery to a household.

## **204 EAP BENEFIT - UNALLOWABLE PAYMENTS**

EAP payments may **not** be made for the following expenses:

- Utility connection or reconnection fees
- Deposit fees

- Past-due bulk fuel bills (unless payment of the past due bill prevents an immediate crisis delivery to the household)
- Setting an LP tank
- Water or sewage bill
- Direct rent payments
- Tampering charges (diversion/illegal usage)
- Price Protection Programs
- Outdoor security lights
- Appliance service programs charged to the utility bills
- Appliance payments
- Business or commercial accounts
- Portable heating devices purchase

Please note that State EAP funds can be used by homeowners for connection, reconnection and immediate delivery costs after March 15.

#### 204.1 Limits on Arrears Payments

The energy assistance benefit may not be applied to that portion of a household's utility bill, which is in arrears over one year from October 1<sup>st</sup> of the current program year. **The LSP EAP Program Manager may waive this rule.** *The reason for the waiver should be documented in the client case file.*

**Example: 10/1/16 (current program year) - one year= 10/1/15. Bills accrued before September 30 of the preceding year may not be paid unless waived.**

#### 205 DOCUMENTATION OF UTILITY PAYMENTS

Households applying for the Energy Assistance Program must show a utility bill as a part of documenting their need. This bill must become part of the applicant's file. Utilities are required to be in the legal name of a household member (eligible or ineligible), age 18 or over **with these exceptions:**

1. Utilities are listed in the name of a legal power of attorney;
2. Lease or landlord affidavit states that the utilities must be listed in the landlord's name;
3. Applicant **who is a person with a** disability and the utilities are handled by a company or service that pays for all of the client's needs;
4. **Household member is temporarily in a correction facility, nursing home or rehabilitation center and can provide supporting documentation with an estimated release date that will occur during the program year; or**
5. **Court ordered protection.**

**NOTE: Refer to section 301.2 regarding eligible and ineligible household members.**

If the utility is listed in the name of a power of attorney, then the client must submit a copy of the legal documentation designating the power of attorney. The copy should be retained in the client's file. To be considered a valid power of attorney in the state of Indiana, the paperwork should contain the following information:

1. Be in writing.
2. Name an attorney in fact.
3. Give the attorney in fact the power to act on behalf of the principal.
4. Be signed by the principal or at the principal's direction in the presence of a notary public
5. In the case of a power of attorney signed at the direction of the principal, the notary must state that the individual who signed the power of attorney on behalf of the principal did so at the principal's direction.

If the utility payment is in the name of the landlord; a lease agreement or contract with the landlord stating the landlord's name, address, telephone number, or a Landlord Affidavit is required.

All utilities should be listed in the name of a household resident. If one utility (either electric or primary heating source) is not listed in the name of a household resident **or qualify under the above exceptions**, the household will be ineligible for that utility benefit until the name is switched to a household resident **or an exception is made**. That benefit cannot be waived and this utility is not eligible for moratorium protection because it does not meet program requirements for approval. The client is eligible for the utility benefit that meets the program requirements and is covered by moratorium protection.

Utility bills with multiple service addresses listed for one customer must have separate meters and account numbers. The LSP must document the correct account that will receive the EAP benefit.

Some bulk fuel vendors may refuse to supply documentation for unregulated utilities. LSPs must provide notes to the client's file that they requested a copy of a receipt or bill, but the request was denied.

## **206 RENTERS**

### **206.1 Equitable Treatment of Renters**

**Reference: LIHEAP Statute 2605 (b)(8)**

**Renters and homeowners will be treated equitably in the determination of energy assistance needs and eligibility.**

EAP does not extend to sublets, unless there is a valid lease between the sublet and the landlord, because there may be no direct relationship between the third party who sublet and the landlord (owner).

## **206.2 Direct Benefit Payments**

The Indiana Energy Assistance Program does not make direct utility payments to individual households. In the case of a household where the heat is included in rent and electric is paid separately, no check will be sent to the client for heat but a \$75 payment is to be made by transmittal to the electric utility.

Conversely, if the electric cost is included in the rent and the heat is paid separately, a direct check will not be sent to the client for electric, but a payment determined by the matrix is to be made by transmittal to the heating vendor.

Utilities that are ineligible for assistance may not be waived and transferred to the other utility listed on the bill.

## **206.3 Property in Relative's Name**

An individual who previously owned the property may choose to deed their property to an adult child or other relative. If the relative continues to live in the home after transferring ownership and wishes to apply for assistance, the relative is considered a renter and is not eligible for State EAP and renter protocol should be followed.

## **207 BENEFIT REFUNDS**

A refund occurs when an EAP benefit was paid, but the account closed and left with a credit. This money is due back to the IHCD from the utility vendor. Utility vendor shall issue IHCD a refund check within sixty (60) days for the amount of overpayment along with the client name, LSP name, last known address and transmittal number.

If a household moves out of the service area of the current utility company, leaving a credit on the utility bill which was paid by the Energy Assistance Program, the remaining amount is to be refunded by the utility company to IHCD. If the client does not contact IHCD for the credit within ninety (90) days of the receipt from the utility vendor, the refund will be reinvested into the Energy Assistance Program and used to fund additional benefits for other clients.

If the client contacts IHCD for the credit within ninety (90) days of receipt, the client must provide new utility information. The credit will be sent to the new utility vendor. The client must complete and notarize the Refund Request Affidavit.

After application, if a household moves out of the services area of their utility company, or otherwise leaves an open account with a balance due, the EAP benefit may be applied

to the balance before any credit is returned to the **IHCDA**. It is not the intent of the program to pay on a closed or disconnected account.

## **SECTION 300**

### **ELIGIBILITY AND INCOME STANDARDS**

#### **301 RESIDENCY AND CITIZENSHIP REQUIREMENT**

The applicant must reside in the State of Indiana at the time of application and for at least one month (or 30 days) of the current heating to be eligible for the Energy Assistance Program.

Current verification of *residency address (i.e. application)* and *service address (i.e. utility bill)* must be reviewed for each application. These two addresses must match to qualify for benefits. **However, the mailing address (application or utility bill) does not have to match the service address. The LSP is responsible for documenting in RIAA the difference between the mailing address and service address. For example, some individuals may choose to have their mail sent to a P.O. Box or the elderly may have bills sent to a relative's address.**

Possible verification sources are as follows (**not all inclusive**):

- Valid Indiana Driver's License with current address
- Rental/Lease agreement listing the applicant's name and current residence
- Completed Landlord Affidavit form (if applicable)
- Employer's statement or pay stub listing residence address

In addition to the above criteria, all members of the household must be United States (U.S.) citizens, U.S. Nationals or qualified aliens who meet the eligibility requirements specified in Section 2605(b)(2) of the Low Income Home Energy Assistance Act (42 U.S.C. §8642(b)(2)). A qualified alien is defined at 8 U.S.C §1641(b).

A United States citizen is someone born in:

- One of the 50 states
- The District of Columbia
- Puerto Rico
- Guam
- The Virgin Islands
- The Northern Mariana Islands

A United States National is someone born in:

- America Samoa
- Swain's Island



To verify a household member is a U.S. Citizen or National, use any of the following documents:

- Birth Certificate
- U.S. Passport
- Report of Birth Abroad of a Citizen of the U.S. (FS-240) issued by the U.S. Department of State
- Certification of Birth (FS-545) issued by a Foreign Service post
- U.S. Citizens I.D. card (I-197) issued by the Bureau of Citizenship and Immigration Services (BCIS)
- Certificate of Naturalization (N-550 or N-570) issued by BCIS
- Certificate of Citizenship (N-560 or N-561) issued by BCIS
- Northern Marianas I.D. card (I-873) issued by BCIS
- Statement provided by the U.S. consular official certifying the individual is a citizen.

There are secondary sources of verification which may include religious records, U.S. civil service employment records dated before June 1, 1976, early school records, census records, adoption papers, and any other document establishing or denoting a place of birth.

Non-citizens must provide documentation verifying Resident Alien status to be eligible for EAP benefits. The federal government considers the following to be qualified aliens:

- An alien legally admitted for Permanent Resident Alien Status. I-151, commonly referred to as a *“green card”*.
- An alien granted asylum. Documentation: I-94 or INS letter
- A refugee admitted to the United States. Documentation: I-94 *“Arrival Departure Record”*.
- An alien paroled in the United States. Documentation: I-94 *“Arrival Departure Record”*.
- An alien whose departure is being withheld. Documentation: I-94 and/or order from an immigration court judge.
- An alien granted conditional entry. Documentation: I-94 *“Arrival Departure Record”*.
- An alien who is a Cuban/Haitian entrant. Documentation: I-151 *“green card”*.
- An alien who is a battered spouse or child. Documentation: 1) Veteran-proof of legal entrance in U.S. DD-214 or proof of active military service, birth/marriage certificate; 2) Other-Approval Notice of *“Notice of Prima Facie Case”* under the 1994 Violence Against Women Act (VAWA).

### 301.1 Social Security

A Social Security number (SSN) is required for all persons in the household age one (1) and older. **Individuals that do not have or refuse to furnish a SSN are considered an ineligible household member.** (See Section 301.2)

When a household member exists and cannot provide the intake worker with an SSN at time of application: Enter the household member, fill the space with nines or zeros, and leave the application in pending status until the SSN is verified or the individual becomes classified as an ineligible household member.

The web site for the SSN application form and instructions for applying for a new social security number can be found at: <http://www.ssa.gov/online/forms.html> (Form SS-5 Application for a Social Security Card).

According to the Social Security Administration, noncitizens may apply for a Social Security number if they have permission to work in the United States by the Department of Homeland Security. SSN documentation that read, "Authorized for work use only," are acceptable.

All LSPs are required to retain a copy of the documentation used to verify the SSN. **If the LSP receives a worn, illegible SSN Card, the LSP is to make best efforts in maintaining the best version presented. If an LSP would like to maintain a "clean copy" of the identity verification documents, this is permitted as long as LSP staff have completed confidentiality documentation and provided that any personally identifiable information is kept in a locked file. Please follow records retention guidelines for duration of file maintenance.** If documentation from another categorically eligible program is used, LSP must retain a copy of the alternative document used and of the applicant's driver's license or photo identification.

Mail-in applications are required to submit a copy of their social security card with their mailed application.

**IHCDA Recommendation:** A LSP should assist applicants to apply for social security numbers and the necessary documentation.

### 301.2 Mixed Household Applicants (eligible & ineligible)

LSPs should not deter or deny eligible applicants who may reside with ineligible individuals from applying for assistance. An applicant does not need to be an eligible member of a household, but should be of legal age to apply on behalf of those members of the household who are eligible. Accordingly, an applicant can be either an eligible applicant (able to receive EAP benefits) or an ineligible applicant (unable to receive EAP benefits but applying for the eligible members) household member.

- Exclude the ineligible household member from the total number of household members (total household size) when calculating the benefit amount.
- Count the income of the ineligible household member when determining the total household income eligibility (income of all household members- regardless of eligibility must be documented).

## **302 EAP STATISCAL CLASSIFICATION**

### **302.1 Disabled**

A person may be determined to meet this definition through various methods. The most desirable verification is verification and receipt of benefits by the Social Security Administration (SSA). A household member may automatically be considered a **person with a disability** if he/she receives one or more of the following benefits:

- Supplemental Security Income (SSI)
- Social Security Administration letter
- Social Security Disability payments
- Veterans Disability
- Railroad Retirement Disability
- Vocational Rehabilitation Services
- Black Lung Disability
- Medicaid Disability
- Medical Assistance for Aged, Blind, and Disabled (MAABD)

**A person with a disability:** A household with any member meeting the definition of Disabled above is counted as a Disabled Household for EAP statistical purposes. Disabled clients may receive Social Security Disability Income (SSDI) or Supplemental Security Income (SSI).

SSDI are earned benefits that are paid to clients with physical and mental impairment that will prevent them from working for at least 12 months or will end in death or the blind. The clients have worked and paid Social Security taxes long enough to qualify. These benefits can be paid to a child or spouse upon death of the client.

SSI benefits are paid to low-income clients who are 65 or older without disabilities but meet the financial limits, disabled adults based on the definition of SSDI, the blind, or children that are blind. This program is designed for people with very limited income and assets.

A client may present a doctor's statement that he/she is disabled. This form of verification is allowable, but is the least desirable. The doctor's statement must indicate that the client is unable to engage in any substantial, gainful activity, by reason of any medically determinable physical or mental impairment which can be expected to result in death, or which has lasted or can be expected to last for a continuous period of 12 months or longer.

If the client presents a doctor's disability statement, then the client must provide a pending SSA application or appeal for benefits. Clients who claim zero income for 12 months must complete an Income Verification Worksheet and provide a wage inquiry.

### **302.2 Elderly**

Elderly Households: For EAP statistical purposes the household is defined as an Elderly Household when any member of the household is 60 years of age or older. If an elderly household member is also disabled, the household is counted as *Elderly*, for EAP statistical purposes.

### **302.3 Veterans and Military Personnel**

Veterans: For EAP statistical purposes the household is defined as a Veteran household when any member of the household served for any length of time in any military service branch (Army, Navy, Air Force, Marines or Coast Guard) and received an honorable discharge if no longer participating in active services. Veteran and Military status can be illustrated with a DD214 form, VA benefit documentation, or unexpired military Identification reflecting current or previous duty.

### **302.4 Household with Children under age 5**

Household with Children under age 5: For EAP statistical purposes the household is defined as a Household with Children under age 5 when there is at least one child newborn to age 5 living in the household.

## **303 Income Computations**

The total household income is used to determine financial eligibility for benefits. Households are eligible with an income of 150% of poverty or less. The income computation is used to compute points on the benefit matrix.

- Twelve (12) months of income directly preceding the application date and must include the month of application.

All income should be documented using the RIAA Calculator **based upon all household income provided by the client.**

**Note: All income should be calculated based on the application date (for appointments) or the receipt date (for mail-in applications).** Therefore, use the documentation provided by the applicant. If the LSP receives all of the documentation after the mail application has been received, the application date should be the date that all of the documentation was received.

### 303.1 Computation of Earned Income

Earned income (see Section 401.1) or fluctuating income must be verified by the following method for the eligibility determination:

Income may be verified using one of several sources to include: a paystub, W-2, wage inquiry, written statement from an employer or the Zero Income Affidavit.

To calculate income using a paystub, use the following formula:

**Step 1: Identify** the gross year to date (YTD) income from all paystubs provided.

**Step 2: Add** the YTD income amount together from each of the paystubs.

This total is the annual income amount.

**Note: If total gross and taxable gross income are both provided, use the taxable gross income for the calculation.**

To calculate using a wage inquiry, use the quarters that correspond to 12 months prior to the application date. Wages are listed by quarter and year. The first number is the quarter, and the second number is the year that wages were reported. See the following example.

1/4- First Quarter 2016	(January through March)
2/4-Second Quarter 2016	(April through June)
3/3-Third Quarter 2015	(July through September)
4/3-Fourth Quarter 2015	(October through December)

**To calculate income using a current paystub from an individual employed full-time from the same employer for at least the past year:**

**Step 1: Divide** paystub “gross” to get a monthly total

**Step 2: Multiply** the monthly total times 12 (previous months of income)

This is the total annual income amount.

**To calculate income from more than one employer when all paystubs are not available, follow this process.**

**Step 1: Identify** the gross year to date (YTD) income from all the quarters on the wage inquiry where income is reported during the 12 months prior to the application date.

**Step 2: Add** the YTD income amount together from each of the quarters on the wage inquiry where income is reported during the 12 months prior to the application date.

This total is the annual income amount.

IHCDA Recommendation: The LSP is encouraged to collect pay stubs, social security documentation, etc. as the primary source(s) of income verification and the DWD wage inquiry system is secondary.

### **303.2 Computation of Unearned Income**

Unearned (see Section 401.2), fixed or non-fluctuating income may be computed in the method above, or by:

- Computing the annual income based on the current month's income times twelve (12).
- This information should be documented using the income calculator in RIAA .

## **304 HOUSEHOLD UNIT CONSIDERATIONS**

### **304.1 Household**

Households **do not** include people residing in homeless shelters, alcohol or drug treatment centers, battered women and children shelters, transitional dwellings or group homes (see Section 304.2)

### **304.2 Absent Household Member**

An absent adult (out of the household for 90 days or longer) is defined as one or more of the following:

- An adult not listed on the application; however, the name is present on the utility or lease as a co-applicant for credit purposes.
- An adult currently residing in a correctional facility (based upon legal or correctional institution documentation).
- An adult currently away from the household fulfilling military duty.
- An adult living in a hospice, hospital, medical facility, nursing home or rehabilitation facility.

### **304.3 Full-time College Students**

A full-time college student, up to age 23, who is a dependent of a member of the household, may be excluded from the household if the applicant chooses. This means that the person would not be counted as a household member nor would their income be counted. Proof of the student's full-time status must be provided. A full-time student must provide a schedule or letter that he/she is enrolled for 12 credit hours or more per semester. The student must also be declared as a dependent of the household's most recent income tax forms.

#### **304.4 Death of a Household Member**

If a household member died during the 12 months prior to the date of application, the deceased member should neither be counted as a household member, nor should his/her income for the twelve (12) month eligibility period be considered.

Utility bills or property tax statements with a deceased household member's name on the account should be transferred into another household member's name. If the deceased person's name is present along with another household member's name the LSP may process the application with a death certificate. LSP should work with the applicant at a later date to remove the name of the deceased household member.

If the household information is unclear such as Mrs. Justin Training and the applicant is the widow of Mr. Justin training, a death certificate and marriage certificate are required to show the relationship link.

#### **304.5 Divorce/ Legal Separation**

If **applicants** can prove they were legally divorced or separated within the past twelve (12) months, then income from the absent spouse may be excluded and the remaining spouse counted as a single person for the full twelve (12) months prior to application.

Proof in the form of a divorce or separation decree, documented proof of a permanent residence for the absent spouse, verification of separation from a member of the clergy or an attorney, or verification from the local DFR office, Township Trustee, or a reliable collateral contact (This may be a completed Landlord Affidavit for renters). If proof cannot be provided, the spouse must be counted as a household member and all income must be counted.

#### **304.6 Drop-In Household Guests**

A drop-in guest is defined as:

- an unexpected or casual visitor or
- family members, friends, etc., who have resided in the household less than three (3) months and who the applicant certifies will be in the home less than three (3) months of a twelve (12) month period.

Drop-in guests are not to be included on the application. Drop-in guests are not counted as a member of the household or as part of the income calculations. If an applicant wishes to count a drop-in guest as a part of the household, the applicant must wait and apply after the guest has reached the three (3) month requirement.

Conversely, if a person resides or is expected to reside in the household more than three (3) consecutive months, that person should be considered as any other household member.

If there is a question on the part of the LSP as to the status of any household member the LSP may require a collateral contact. This could be in the form of a statement from a neighbor, friend or relative as to the living situation of the person(s) in question.

#### **304.7 Marriages**

If a household member marries during the twelve (12) months prior to application, their spouse should be included as a household member on the application. The spouse's income is counted fully in the eligibility determination.

#### **304.8 Foreign Exchange Student**

Foreign Exchange Students do not count as part of the applicant's household. They are considered an ineligible applicant (See Section 301.2). Any stipend received by the host family is counted as household income.

#### **304.9 Foster Children**

The household may be given a choice to count foster children in the household. If they are counted then the stipend received for the children is also counted as household income.

#### **304.10 Adopted Children**

Starting in October 2012, children who have been adopted must be counted as a part of the household. Any assistance or stipend received for those children should be counted as household income.

#### **304.11 Births**

Household members born any time during the twelve (12) months prior to the date of application shall be counted as members of the household for the entire twelve (12) months. If a household member is pregnant and can provide a medical statement that the child will be born prior to **the end of the Heating Season**, the unborn child may be counted as a household member.

Similarly, for a new Summer Cooling Program applicant, a child projected to be born prior to the **end of the Summer Cooling Season** may be counted as a household member.



When entering an unborn child into RIAA, enter the name as “Unborn Child (last name)”, social security number “0”, gender “Unknown” and the birthdate as the “Anticipated Due Date” and scan the doctor’s letter into the file.

The household is awarded points under the At-Risk category based on this child.

To consider a newborn under the age of 1, without a social security card, as a household member, a verification of birth (**birth certificate**) must be presented.

### **304.12 Home Business Owners (Self-Employed)**

Applicants, who operate a business or have a home office with the same physical address as their primary residence, must provide proof of a separate meter for its business operations or evidence that the residence is not used solely for the purpose of the business. LSP should make a reasonable effort not to fund a business account. If the business utilizes only a portion of the residence, the client may qualify for LIHEAP benefits if the household is income eligible.

*If the household presents a utility bill coded as a commercial account or (C), the household is ineligible for EAP benefits.* If review of the self-employed individuals 1040 Form, Schedule C reveals that the household has taken its allowable utility deduction, as an expense, the deduction must be added back to the adjusted gross income (AGI or Line 37). Thereafter, the household must be income eligible after the utility deduction is added back to its AGI.

The Schedule C tells the LSP that at least one of the applicants had a job that did or did not make a profit. If the business did not make a profit, the applicant does not need to complete a zero income affidavit. However, if other household members are listed on the application and are not part of the Schedule C or do not have a 1099 and are claiming no income they must complete a zero income affidavit.

Schedule C-EZ does not list expenses or have a worksheet. To have expenses deducted, the applicant will need to provide this information; otherwise the LSP must use the total AGI.

### **304.13 Roomers and Boarders**

Roomers and boarders are persons renting space within the residence of the energy assistance applicant who do not have separate kitchen and bathing facilities. These persons are counted as household members, and their income is included on the application.

## 304.14 Joint Custody

Court documentation may indicate that both parents share legal custody of one or more children as part of the divorce decree. EAP guidelines only allow for a child to be claimed in one household, with this exception. Therefore, the benefit can be split for odd number(s) of children. However, if multiple children are involved (even numbers); the parents should each claim different children.

### SECTION 400 INCOME SOURCES AND DOCUMENTATION

It is the household's responsibility to provide accurate documentation of income. It is the LSPs responsibility to assess the adequacy of that documentation and provide the applicant with a list of additional documentation needed to determine eligibility for benefits.

Intake staff will encounter various forms of income documentation, as described in Section 402. The worker should use their judgment, with opinions from their supervisors, in accepting or rejecting specific forms of verification. **The LSP should indicate, in writing to the case file, the reason for accepting documentation that may be considered less than ideal.**

### 401 INCOME

The household income is the total income received by all household members age 18 and above, during the application period. Examples of different types of income: gross wages, salaries, commissions, bonuses, profit sharing, cashed out vacation or sick pay, tips, income received in installments from the sale of property, profits or gains from the sale of assets, Black Lung Pension Disability payments, disability payments from insurance, dividends, interest, gambling winnings, pensions, railroad retirement benefits, military allotments, regular life insurance payments, workers compensation, veterans benefits, unemployment compensation, TANF, strike benefits, social security benefits, and royalties.

Income Type Overview Chart	Count as Income?	Gross/ Net Income
Alimony	Yes	Gross
Annuities, Pensions and other retirement plans	Yes	Gross
Assistance Payments	Yes	Gross
Basic Allowance for Subsistence	No	Gross
Black Lung Disability	<b>No:</b> if recipient is living <b>Yes:</b> if award is going to surviving spouse	Gross
Blood Plasma payments	Yes	Gross

Cash Assistance: Supplemental Security Income (SSI), Temporary Assistance to Needy Families (TANF),	Yes	Gross
Contract Sale of Property	Yes	Gross
Disability (Social Security , Veteran's Disability)	Yes	Net
Disability (Short and Long Term)	Yes	Gross
Disability Payments from Insurance	Yes	Gross
Dividends, Interest	Yes	Gross
Divorce Settlement	Yes	Gross
Earned Income Credit	No	Gross
Income from Rental Property	Yes	Gross
Gifts and Inheritances	Yes	Gross
Gifts (cash)	Yes	Gross
Irregular income	Yes	Gross
Jury Duty Pay	Yes	Gross
Life Insurance	Yes	Gross
Military Pay	Yes	Gross
Other taxable income	Yes	Gross
Pensions (401s, Annuities, IRA's, and other retirement plans)	Yes	Gross
Proceeds from Insurance Settlement	Yes	Gross
Railroad Benefits	Yes	Net
Royalties	Yes	Gross
Self-employment Income	Yes	Gross
Strike Benefits	Yes	Gross
Profits or gains from the sale of assets***	Yes	Gross
Social Security , including under payments	Yes	Net
Social Security Death Payments	Yes	Gross
TANF (Temporary Assistance for Needy Families)	Yes	Gross
Unemployment Compensation Benefits (UCB)	Yes	Gross
Veteran's Benefits (US Dept of Veteran's Affairs)	Yes	Gross
Wages, salaries, tips, bonuses, garnished wages, tips, vacation pay, commission	Yes	Gross
Worker's Compensation	Yes	Gross
Winnings, Prizes, and awards	Yes	Gross
Adoption Assistance	No	Gross

#### **401.1            Earned Income**

Earned income is payment received as a result of a person's work, including but not limited to:

- Wages (including wages from sheltered workshop employment)
- Salary, tips, bonuses, commissions
- Self-employment income
- Income from rental of property
- Profit from a business
- Blood plasma payments
- Other taxable income

#### **401.2            Unearned Income**

Unearned Income is payment for which there is no corresponding performance of work or services, including but not limited to:

- Worker's compensation;
- Cash assistance payments such as Supplemental Security Income (SSI), Temporary Assistance to Needy Families (TANF), Unemployment Compensation Benefits (UCB);
- Disability payments such as Social Security Disability, Veterans Disability
- Annuities, pensions and other retirement payments such as private retirement plans
- Social Security (SS), including underpayments
- Alimony payments
- Strike benefits
- Profits or gains from the sale of assets
- Proceeds from insurance settlements
- Winnings, prizes, and awards
- Gifts and inheritances
- Contributions directly paid to a household member
- Divorce settlement
- Other unearned income

Because most of unearned benefits remain the same in a given year, they are frequently referred to as "**fixed**" income.

Lump sum Social Security and Supplemental Security Income (SSI) payments will be excluded from income calculations (See Section 502.3).

### 401.3 Zero Income Claimants

A claimant with zero or undocumented income declares he or she has received no earned, unearned, or incidental income (provide proof) at any time during the 12 months prior to the application date. *Each person* over age 18 that claims no or non-documented income **must provide a description** of how living expenses were met during that period. *A DWD Wage Report should be used for all applicants reporting zero income for a full 12 months.* All claimants with zero income must complete this verification form.

**IHCDA Recommendation:** Applicants with zero income should be given a priority in case management services offered by the agency under EAP Family Development or other programs.

## 402 TYPES OF EARNED INCOME AND DOCUMENTATION

The following section outlines the different types of earned income and the proper documentation needed for their verification.

### 402.1 Employment Income

Employment income includes all gross wages, salaries, commissions, bonuses, profit sharing, cashed out vacation or sick pay, and tips of an employee. There are several allowable forms of documentation to verify employment (see § 303), including:

- Pay stubs identifying the person whose income is being considered (i.e., social security number or name) and showing the income for the period being considered for the computations
- Letter from the employer stating the income for the period being considered for the computations
- W-2 Form for the previous year's wages. (This documentation can be used by itself only for applications in the months of January, February, and March and thru April 15th of the current heating season). **Use Box #1.**

If there are wages and self-employment, the household may submit a W-2, wage history or letter from employer stating their income for the period being considered. This earned income will be added to the self-employment income, unless the client presents a tax form where all income is captured.

### 402.2 Incidental, Unreported Income

Earned income that is not reported for tax purposes is nevertheless included in the calculation of the household's gross income (i.e. garage sales). This income must be verified. Applicants may claim this income using the Income Verification or the Income Self Declaration Form in Appendix R.

### 402.3 Profits from Self Employment

Self-employment income is an individual's income from a private trade or business (including farming). The person's adjusted gross income is calculated using the IRS Schedules listed below, allowing for certain business deductions, as computed as self-employment income under Federal income tax law.

If a household reports a member who is self-employed, their income must be verified by the Internal Revenue Service (IRS) Tax Form 1040 for the most recent, complete calendar year. Most recent is defined as taxes that were filed by April 15 of the current program year.

If the applicant cannot produce the most recent tax return, the applicant should self-declare income for the previous 12 months and obtain a wage inquiry from DWD.

(See copy of 1040 form in Appendix E). The adjusted gross income is listed on the last line of the section on Form 1040 labeled "**Adjusted Gross Income**".

**In addition to the Form 1040, applicants must provide one or more of the schedules to complete the self-employment verification.**

Schedule	Form
Form 1040	U.S. Individual Income Tax Return
Schedule C	Profit or Loss From Business
Schedule E	Supplemental Income and Loss
Schedule F	Profit or Loss From Farming
Schedule SE	Self-Employment Tax

Form 1040 also has information on other income that a self-employed person may have had in the section labeled "Income". This amount will have been computed in the Adjusted Gross Income, already.

Self-employed clients with a \$0 Adjusted Gross Income are not required to submit a wage inquiry from DWD.

If the client provides a tax return that is outdated, then the agency may use the business income reported on that tax return but require the client to provide more current wage history via a wage inquiry from DWD.

If the client's tax returns indicate that wages and business income were received, then the client must provide W-2s for the wages as well as schedules for the business income.

#### **402.4            Income from the Rental of Property**

Income from the rental of property is considered earned, self-employment income. **This income may be recorded as undocumented income on the Income Self Declaration Form.**

#### **402.5            Contract Sale of Property**

Income received in installments from the sale of property is counted as earned income. This income is handled in the same way as self-employment income in that certain expenses may be deducted from the cost of producing the income.

Only income based on an actual contracted sale may be counted using this stipulation so the agency should actually see the contract for documentation. Otherwise, the income is counted as rental income.

The income may be verified using the methods in Section 402.3, above.

### **403    TYPES OF UNEARNED INCOME AND DOCUMENTATION**

#### **403.1            Assets - Sale of Assets**

Profits or gains from the sale of assets are counted as income. See Section 404 regarding the computation of unearned income from the disposition of assets.

#### **403.2            Black Lung Disability**

When awarded to the recipient while he/she is still living, it should be excluded when figuring income. When Black Lung Pension is awarded to the survivor of the recipient it should be included as income.

#### **403.3            Disability Payments from Insurance**

An individual may have insurance coverage that pays a specified amount for a specific period of time during which he/she is unable to work because of a disabling condition. Such disability payments made by an insurance company directly to the individual are counted as unearned income.

Indemnity health insurance plans pay a specified benefit to a person based on the number of days the person is hospitalized. Variations on indemnity health insurance include accident and cancer policies. These benefits are counted as unearned income.

However, the verified and documented amount of the benefit that is used for the payment of medical bills may be deducted from the benefit in computing the household's income.

#### **403.4 Dividends, Interest**

Dividends or interest earned on financial assets are counted as unearned income to the extent that they are realized (received) by the owner of the asset. Assets include: savings accounts, interest bearing checking accounts, equity shares (mutual funds and stocks), bonds, and retirement accounts, or other similar accounts.

Dividends and interest from financial assets can be verified by earnings statements from the financial institution. If a monthly statement is presented, take the monthly amount times twelve to annualize. Or, Tax Form 1099 for the previous calendar year is acceptable in the first four months of the current calendar year.

That portion of any savings instrument, which represents the individual's contribution to the principle, is never considered as income. Saved money has already been counted as it was received by the household.

For example, the principal withdrawn from a savings account or other cash asset is not used in income calculations. The principle is the amount of the asset that was contributed by the individual owner of the asset.

#### **403.5 Gambling Winnings**

Winnings from any source of gambling or gaming is considered unearned income; including, but not limited to private gambling, the Hoosier Lottery, Power Ball, Mega Millions, horse racing, bingo and other games of chance.

#### **403.6 Military Allotments**

An individual may be eligible to receive a military allotment if the spouse, adult child, or parent is in the U.S. Armed Forces. Payments received during a military deployment are eligible income and the person who is deployed should be counted as a household member. Such payments are unearned income and can be verified by a copy of the check, a check stub, or other documents showing the current amount.

#### **403.7 Pensions**

Ongoing pension payments are counted as unearned income. They may be available to any household member who has retired from private industry, local or state governments, or the federal government. These payments are the result of an investment in a retirement instrument such as an employer-sponsored plan, a personal 401K plan, or an Individual Retirement Account. Most often, the employee and/or the employer pay retirement funds into an annuity account. Annuities are paid out after the person retires, usually with an option for lump sum payments or periodic payments.



Like Social Security, many retirement funds are also available to persons who become disabled, or to their surviving spouse and surviving minor children in the event of the individual's death.

The most desirable documentation of a pension amount is a check stub. Care should be taken to use the **gross** amount of the pension check, since deductions, including income tax withholding, may affect the net. Pensions are usually "fixed", unearned income that may be computed based on one month's check.

(See Section 502.3, Pensions, regarding the treatment of lump sum pension payments.)

#### **403.8 Railroad Retirement Benefits**

Railroad Retirement benefits are available to former railroad workers, their dependents, or survivors. Both retirement and disability benefits are available and are counted as unearned income. These benefits are administered by the Social Security Administration, and payments are often combined with regular Social Security if the person is eligible.

These benefits can be verified using the same methods as Social Security. Railroad benefits should be calculated based on the **net amount**.

#### **403.9 Royalties**

Royalties include payment for copyrighted or patented property of a household member, such as payments for:

- the right to use copyrighted materials;
- the right to use licensed products;
- the right to use patented items;
- the right to use secret processes, formulae or designs;
- consideration for trademarks and other analogous rights;
- the rights on the use of motion picture films; and,
- for the use of industrial, commercial, or scientific equipment.

Royalties may be documented by statements or by contracts with the entity paying the royalty. Alternately, documentation of a period of income from the royalties may be used.

#### **403.10 Social Security Benefits**

Benefits administered by the Social Security Administration include Social Security retirement benefits, Social Security disability benefits, Supplemental Security Income assistance, and Railroad Retirement. Including but not limited to recurring, regular and underpayments.

The Social Security Administration sends SSA-1099's each January to everyone who receives social security benefits.. It shows the total amount of benefit in the previous year and is used for tax purposes. Several versions of the 1099 are used, depending on the nature of the income transaction (i.e. SSA-1099-SM). Social security beneficiaries are now available to quickly and easily obtain replacement SSA-1099 form or other versions from a "my Social Security" account at [www.socialsecurity.gov](http://www.socialsecurity.gov) or by calling 1-800-772-1213 (Monday through Friday 7am to 7pm).

To verify Social Security income, the following documents should be used in this order of importance:

- Copy of the Social Security Award Certification Letter
- Most recent direct deposit statement from a bank
- Copy of the most recent Social Security check
- Copy of the most recent tax forms or tax returns (Note: 1099s are eligible documentation) If the income is calculated using the tax form, then the agency should use the "**amount paid for the current year or amount paid via check or direct deposit**".
- A letter from the bank verifying receipt of a deposit from the Social Security Administration. The letter should include the deposit amount and date of receipt.
- A lump sum Social Security awarded for back payment may be used to calculate income. Determine the amount by pro-rating the entire award and then consider the most recent twelve (12) months.
- SSA-2458, Report of Confidential Social Security Benefit Information or written verification from the Social Security Administration (SSA) with a Form L634 (cover letter) attached.

The **net amount** of the Social Security check, after the deduction for Medicare Part B premiums and/or Part D, overpayment recovery, tax withholdings, and child support garnishments, is to be used to compute income.

#### **403.11 Strike Benefits**

A union may award strike benefits to employees who are striking against their employer. Strike benefits are counted as unearned income. They may be verified by statements from the union, or by a check copy or stub.

#### **403.12 Temporary Assistance for Needy Families (TANF)**

TANF replaced several forms of welfare assistance. For income calculation purposes consideration is only given to the cash assistance award that was previously awarded under the AFDC program.

Acceptable proof of this income would include a copy of the most recent TANF check, a TANF award letter, or any other form of verification from the local office of the Division of Family Resources.

Income is calculated for the 12 months prior to the application date. The start date of TANF should be considered when calculating this benefit. Only the months that are applicable to the 12-month period should be considered.

### **403.13 Unemployment Compensation**

Unemployment Compensation Benefits (UCB) are unearned income that is available to individuals who have a recent, covered work history and are currently available for employment.

UCB may be documented by weekly pay stubs. The gross amount of the check is on the check stub. It is the **gross benefit** that should be used to compute the household member's income. The gross benefit amount is identified as the "weekly benefit amount", or WBA. Gross benefit amounts on the wage history form beginning in 2014 are identified as entitlement amounts plus any deductions.

Note that the net amount of the weekly check is after applicable deductions; such as federal income tax withholding, child support, and garnishment.

UCB may also be documented using one of the following forms.

- **Claim Index Inquiry-** Use the WBA to calculate income.
- **Voucher History Inquiry-** Use the Benefit Pay Amount.
- **Claim Master Inquiry-** Use the Original WBA.
- **Wage or Benefit Transcript-** Use the WBA for unemployment and the wages for documenting income (if applicable).
- **Uplink Unemployment Payment Summary-** Add the deductions and entitlement amounts together for gross benefit.

For inquiries that document weekly transcripts, the agency should use the positive payment amount, unless the documentation indicates that funds were retracted during the same period.

UCB may also be documented by a letter which is issued to the claimant by the Department of Workforce Development (DWD) which states the total amount of money available under their claim and the length of time it is to be paid out. However, this letter only indicates the amount the claimant may receive. If there are issues regarding the circumstances under which the claimant separated from employment, those issues may prevent or postpone the individual's actual receipt of benefits.

If a client receives benefits on a debit card, agencies may request a debit card statement as documentation of benefits. UCB recipients also receive a tax form 1099G from the DWD showing the previous year's draw of benefits.

#### **403.14      Veteran's Benefits (U.S. Department of Veterans Affairs)**

A copy of the most recent benefit check, an entitlement letter, or a statement from the Veterans Administration is all acceptable documentation of VA benefits. Dependency and Indemnity Compensation (DIC), a tax free monetary benefit paid to eligible survivors of military service members who died in the line of duty or eligible survivors of veterans whose death resulted from service- related injury or death.

#### **403.15      Worker's Compensation**

Worker's Compensation may be awarded to an injured employee or his survivors under state and federal statute. Benefits are paid either in a lump sum or, more likely, as a monthly payment. Benefits are counted as unearned income.

Worker's Compensation is either paid by an insurance company or by the employer out of a self-insurance fund. In either case the individual should have an "Agreement to Compensation" form which states the amount of the benefit.

Worker's Compensation can also be verified by calling the Worker's Compensation Board of Indiana at (317) 232-3808. Agencies will be asked if they have a release of information form signed and on file.

#### **403.16      Life Insurance Payments**

Life insurance payments of a regular basis to a surviving household member should be counted as unearned income.

### **404    ASSETS - SALE OF ASSETS**

Profits or gains from the sale of the assets of an individual household member are counted as income. Losses from the sale of assets are disregarded in the calculation of income.

#### **404.1      Definition of Assets**

For purposes of the Energy Assistance Program assets include:

- equity shares (stocks);
  - bonds;
  - savings;
  - retirement accounts;
  - personally-owned real estate and/or dwellings that are *not* the households primary place of residence;
  - personally-owned real estate and/or dwellings that *are* the households primary place of residence (but see Section 404.6 below);

- household furnishings;
- personal vehicle(s);
- coins, stamps, or other valuable collections;
- gems and jewelry;
- gold;
- silver; and/or,
- other items of value

#### **404.2 Calculation of Asset Income**

Assets may produce income in two ways. Some assets, such as savings or investments produce ongoing income from interest or dividends. This income is counted as it is received. (See §403.5)

Assets also produce income when they are liquidated, sold or otherwise disposed. The resulting income is counted for the eligibility determination for EAP. However, certain deductions or exclusions are applicable in determining the countable gain or profit.

The determination of the gain (or loss) from the sale of an asset is based on this example:

\$10,000	the original purchase price of the asset
- 4,000	Depreciation to the value of the asset
= 6,000	the current value of the asset
- 500	other allowable deductions or exclusions
+7,000	amount received for the asset
\$1,500	gain (profit) or loss from the asset sale

#### **404.3 Loans against an Asset**

Gains derived from the sale of an asset which are subsequently utilized to discharge the balance of a debt on the asset are deducted when computing the income from the sale of the asset.

For example, an individual sells a car for \$6,000 and still owes \$3,000. The amount still owed on the car, which can be documented, is deducted from the amount received for the car when calculating income.

#### **404.4 Depreciation**

The amount of depreciation of an asset is deducted from the original cost of the asset before computing the gain received by disposal of the asset. Put more simply, the intake worker should use the current value of the asset when calculating the income from the disposition of the asset.

#### **404.5 Sale of an Asset Fees**

The fees necessary for the sale of an asset are deducted from the proceeds of the sale when computing gain from the sale of an asset. Such fees are limited to broker's fees, real estate agent fees, or other reasonable and necessary fees paid to an intermediary by the asset seller. Deductible fees *do not* include the individual's incidental or personal expenses for the sale.

#### **404.6 Sale of a Residence**

If a household member has sold "homestead" property, that is real estate and/or a dwelling in which the member resided, the profit or gain from the sale of that asset is counted as income. *Except*, if the household uses that gain for another residence a deduction is made to the extent that:

- the gain was applied to the purchase of another house in which the household member is currently residing
- the household member can provide documentation of intent to apply the gain to another residence and is actively searching for another residence.

For example, a residence is sold for its current value of \$50,000. The mortgage on the residence of \$45,000 is paid off by the sale. And, the Realtor's fees of \$3,500 are paid. The household has realized \$1,500 from the sale. The household member makes a down payment of \$1,000 on another residence. The countable income from the sale is then reduced by the amount used for another residence and becomes \$500.

#### **404.7 Forced Sale of Assets and Discharge of Debts**

Gains derived from the forced sale of an asset, which are subsequently used to discharge a debt, are excluded as income. These involuntary sales of assets are usually supervised by creditors and may precede a threatened foreclosure or bankruptcy.

Any portion of the gain not used to discharge a debt is to be considered income.

#### **404.8 Sale of Assets of a Business**

The assets held by and disposed of as a part of a household member's business are not a part of their personal income calculation. Those transactions would be considered in the calculation of their business profit or loss. (See Section 402.3)

#### **404.9 Asset Tests**

There is not an asset test or resource limit with the Energy Assistance Program. The total value of a household's assets does not affect its eligibility for benefits. Only the income produced by the assets is used in the eligibility determination.

## **SECTION 500 INCOME EXCLUSIONS**

In computing a household's eligibility for EAP certain types of income are to be excluded. Exclude the following income when determining gross annual household income.

### **501 LOANS**

Loans to an individual or sums of loans are not counted as income.

#### **501.1 Loans**

Loans include, but are not limited to: educational loans, car and home loans, various loans to pay household expenses, reverse mortgages, money advanced on a credit card, etc.

#### **501.2 Reverse Mortgages**

A reverse mortgage is a mortgage contract which allows a homeowner, age 62 or over, to borrow a percentage of the appraised value of the home. The homeowner then receives either a periodic payment or a line of credit that does not have to be repaid as long as the person is in their home. Reverse mortgages are essentially loans and are excluded.

### **502 NON-RECURRING, LUMP SUM PAYMENTS**

Non-recurring, or lump sum, payments to a household (not an individual) for household support (living expenses) must be counted as income. (See Section 502.3).

#### **502.1 Medical Reimbursement**

Reimbursement, from a third party, for medical expenses is not counted as income. However, note that funds paid by a health indemnity plan, for a person in the hospital, may be counted to the extent that it is not used to pay medical bills (See Section 403.4).

#### **502.2 Insurance Settlements**

A one-time, lump sum insurance settlement payment for injury is excluded as income. (However, see Section 403.4 regarding dividends and interest).

#### **502.3 Retirement**

A lump sum pension or retirement payment that represents the employee's contribution and/or interest is excluded as income. However, the ongoing retirement payments are counted as income. (See Section 403.8)

Lump sum Social Security and Supplemental Security Income (SSI) payments may be excluded from income calculations (See Section 403.10). However, the ongoing amount of such income is annualized, and counted **only during the program year it was supplied.**

Social Security benefits paid to a surviving spouse in the name of the surviving children is counted as income to the household.

#### **502.4 Inheritance**

An inheritance received in a lump sum is excluded as income.

#### **502.5 Gifts**

Cash gifts of a personal nature, to an individual that does not represent household support are excluded as income.

#### **502.6 Savings Instruments Principle**

That portion of any savings instrument which represents the individual's contribution to the principle is never considered as income. Saved money has already been counted as the household received it.

For example, the principal withdrawn from a savings account or other cash asset is not used in income calculations. The principle is the amount of the asset that was contributed by the individual owner of the asset. (See Section 403.5, Dividends and Interest regarding income from such instruments).

#### **502.7 Tax Refunds**

Tax refunds and Earned Income Tax Credits refunds are excluded as income.

#### **502.8 Veterans Reduction Assistance Allowance**

That portion of Veterans Reduction Assistance Allowance which represents the veteran's contribution to the allowance is excluded. Veterans who served before December 31, 1977, have not made a contribution toward their benefits. This contribution will not exceed \$2,700 and can be identified by the Veterans Administration (VA) when verifying benefits.

To verify benefits call 1-800-827-1000 and provide the applicant's VA file number. A social security number may be used as a last resort. The VA will verify the educational expenses (i.e., tuition, books, fees, transportation) which are excluded from income.



That portion of the allowance which represents the Veterans Administration contribution and which exceeds these educational expenses is counted as income.

### **502.9 Payments on a Household's Behalf**

Payments made by others on the household's behalf are excluded, including payments for such items as car and health insurance payments, payments for rent, or payments for other household expenses made on the household's behalf. Payments must be made directly to the vendors. No money can be sent to the household. If money is given directly to the applicant for any purpose, that is counted as income. Cash gifts are excluded income (See Section 502.5).

## **503 BENEFITS FROM OTHER ASSISTANCE PROGRAMS**

In general, the cash and non-cash benefits received by the household from other social services programs are excluded as income. (Except as delineated in Section 403, Types of Unearned Income)

### **503.1 Agriculture Commodities**

TEFAP: the value of federally donated food commodities acquired through price support operations for school lunch programs or for distribution to needy individuals shall not be considered income for the purpose of determining eligibility for the Energy Assistance Program.

Child Nutrition Program Commodities: the value of food provided under National School Lunch Act or other child related commodities distribution programs are excluded as income.

Elderly Nutrition Programs: the value of food such as congregate dining and home-delivered meals are excluded. (See Section 503.12)

### **503.2 Black Lung Disability**

When awarded to the recipient while he/she is still living, it should be excluded when figuring income. When Black Lung Pension is awarded to the survivor of the recipient it should be included as income.

### **503.3 Child Care Assistance**

Childcare assistance payments on behalf of the household are not considered income to the household. Childcare assistance paid to the household as a childcare voucher is counted. Common types assistance include; Child Care and Development Funds (CCDF), Child Care and Development Block Grant funds (CCDBG), Social Services Block Grant funds (SSBG), At-Risk Child Care, Guaranteed Child Care, and Transitional Child Care.

#### **503.4 Domestic Volunteer Service Act of 1973.**

VISTA, ACTION, RSVP, Foster Grandparents, Senior Companion Program, Older Americans Community Services. Payments to volunteers under this act shall not in any way reduce or eliminate the level of eligibility for assistance under EAP. Except when such payments, adjusted to reflect the number of hours such volunteers are serving, are equivalent to or greater than the minimum wage then in effect under the Fair Labor Standards Act of 1938, or the minimum wage under the laws of the State where such volunteers are serving, whichever is greater (minimum wage rate is \$7.25 as of 8/1/09). Refusal to accept other work while a volunteer under this Act shall not cause a loss of benefits.

#### **503.5 Food Stamp Act of 1964**

The value of the food stamp coupon allotment provided to a household or any of its members is excluded.

#### **503.6 Medicare and Medicaid**

Reimbursements to a household for medical expenses are not considered income for the Energy Assistance Program. The premium for Medicare Part B is not included as income.

#### **503.7 Student Grants and Loans**

Any grant or loan to any undergraduate student for educational purposes made or insured under any program administered by the United States Department of Education is not to be considered income for the Energy Assistance Program. This includes federal work-study grants or the Department of Veterans Affairs-Dependents Education Assistance Program.

#### **503.8 Victims of Nazi Persecution**

Restitution payments made to individuals because of their status as victims of Nazi persecution shall not be counted as income, per Public Law 103-286 signed August 1, 1994.

#### **503.9 Subsidized Housing**

The value of a housing subsidy is excluded with respect to a dwelling unit under the United States Housing Act of 1937, the National Housing Act, Section 101 of the Housing and Urban Development Act of 1965, or Title V or the Housing Act of 1949.

Rental assistance may include lot rent or a utility allowance toward the utility monthly bills. The utility allowance is not required to be considered subsidized.

Rural Development-funded properties are considered subsidized if the funding source provides a monthly rental payment. Other programs that may provide monthly rental assistance are, but not limited to, HOPWA, HOME TBRA, and HOME AGAIN, which are IHEDA funded programs. Local municipalities may have their own rental assistance programs that provide a monthly payment amount. Those programs are included as well.

### **503.10 Supportive Services for Employment**

The value of supportive services received under various employment and training programs is excluded as income. These programs include; the Job Training Partnership Act, the Personal Responsibility and Work Opportunity Reconciliation Act, the Senior Community Service Employment Program or similar programs.

Supportive services include payments made on behalf of, or through an individual for transportation, health care, special services and materials for the handicapped, child care, meals, temporary shelter, financial counseling, and other reasonable expenses required for participation in the training program and may be provided in kind or through cash assistance.

**Note:** Actual wages earned in employment and training programs are generally counted as income.

### **503.11 Township Trustee Assistance**

All forms of township trustee assistance are excluded as income for the EAP program.

### **503.12 Older Americans**

The value of elderly nutrition programs such as congregate dining, home-delivered meals, Senior Citizens Service Employment Program (Title V), and Experience Works (formerly Green Thumb) may not be treated as income or benefits for eligibility purposes under the EAP.

### **503.13 AmeriCorps**

AmeriCorps is a network of national service programs which engage Americans in intensive service to meet critical needs in education, public safety, health, and environment. Created in 1993, AmeriCorps is part of the Corporation for National and Community Service, which also oversees Senior Corps and Learn and Serve America. AmeriCorps living allowances and education awards are excluded as income.

#### **503.14        Certain Children of Vietnam War Veterans**

VA benefits provided to children of Vietnam Veterans (including adult children) who were born with the congenital defect spina bifida are excluded. Also, effective December 1, 2001 VA benefits to children of female Vietnam veterans born with certain other birth defects are excluded. The monthly monetary allowance is paid at a rate that is based on the child's level of disability. (Refer to chapter 18 of Section 401 of P.L. 106-419).

#### **503.15        Economic Recovery Payment to Certain Individuals**

A \$250.00 payment to recipients of Social Security, SSI, Railroad Retirement Benefits, and Veterans Disability for Pension Benefits shall not be considered income in FY 2015.

#### **503.16        Job Corps**

The nation's largest career technical training and education program for low-income young people ages 16 through 24. Established in 1964, Job Corps serves approximately 60,000 young people each year. While enrolled in the program, students receive housing, meals, basic medical care, and biweekly living allowances. Refer to [www.jobcorps.gov](http://www.jobcorps.gov).

### **504    EXCLUDED EARNED INCOME**

In general, earned income is counted. (See Sections 401.1 and 402.) The following earned income is excluded.

#### **504.1        Adult Care Payments**

Income paid to care-attendants for care of the elderly or handicapped living in the applicant's household. **Note:** A live-in care attendant related by blood, marriage, or adoption to any member of the household is considered a household member.

#### **504.2        Income of Students**

Income of a full-time college student, up to age 23, and who is a dependent, may be excluded at the applicant request. If so, that student would not be counted as a household member. Proof of the student's full-time status must be provided.

A full-time student is enrolled at a university, vocational college, business college, or other accredited institution for 12 credit hours or more per semester.

Income from a student still attending high school, is excluded, even if that income contributes to the household income. The student must present a current report card,

school schedule, or letter of attendance as verification. Students completing a GED or diploma equivalent are not considered high school students.

### **504.3 In-kind Payment to the Household**

An in-kind payment to a household in lieu of payment for work is excluded from income computations, including:

- the imputed value of rent from owner-occupied housing;
- food or rent received in lieu of wages;
- items received in barter for rent; or
- gifts received from an employer.

### **504.4 Income of Household Members Under 18**

The earned income of any household member under 18 years old at the time of application is excluded from the household's eligibility determination.

If household member (up to age 18) emancipates, starts a new household and becomes a working adult, then that emancipated person becomes an adult, and the income is counted, according to Section 400. (See Appendix "W")

## **505 ASSETS - SALE OF AN ASSET**

The determination of the gain (or loss) from the sale of an asset is based on the current value of the asset and the amount received in the sale of the asset. When a household member sells or liquidates an asset the resulting income is counted, except that there are certain deductions from that sale that are, in effect excluded from the calculations.

It is *important* to also review Section 404, Assets - Sale of Assets, regarding the sale and liquidation of assets.

## **506 INCOME EXCLUSIONS - NON-CASH BENEFITS**

### **506.1 Employer Paid Benefits**

Employer paid or union paid portion of health insurance or other employee fringe benefits are excluded as income.

## **507 DRASTIC LOSS OF EARNED INCOME**

If a household is originally over the income threshold but indicates that there has been a drastic change in income due to the sudden loss of earnings, within the three (3) months prior to application, **the client is within the drastic loss period.**

Drastic loss should only be considered for households that are subject to an *unexpected* plant/ business closing or company downsizing or lost employment income due to a medical condition that prohibits employment.

This does *not* include:

- Termination resulting from employee action or inaction (e.g. getting fired)
- Temporary disability from an employer
- Losses from temporary or seasonal interruptions in employment
- Difference between an individual's part-time wages and what the person would have received for full-time wages
- Regular self-employment income (full time or main income source)
- Irregular self-employment income (part-time/occasional side work)
- Income losses while on a temporary layoff
- Income losses while on strike
- Other temporary income fluctuations

The LSP should use a projection "forward" to create an estimated total of 12 months of income as its basis for financial eligibility. The income loss creating the drastic loss period must be carefully documented.

### **Example**

If the household has lost employment income, the verification would include:

1. Statement from the employer, union, or workforce development that the person's employment has been terminated permanently as described above *and*
2. Documentation that the person has applied for and/or received unemployment compensation.

Only household members that meet the definition of this section may have their annual income projected "forward". Other household members should have their income determined for the previous twelve (12) months and following regular EAP guidelines.

### **Step 1**

Drastic loss period [previous three months (90 days) of documented earned income] X 4 (quarters) = Projected "forward" annual earned income for eligible employment.

If any zero income has been reported during the drastic loss period, then a Zero Income Verification Affidavit will be used for only the documented months with no income (not the 9 months that are projected as part of the calculation). Applicants should not be signing projected amounts, only documented zero income amounts.

### **Step 2**

Calculate other earned and unearned income for the 12 months, if any, following the normal EAP guidelines for the drastic loss household member

**Step 3**

Add the total for Step 1 and Step 2 together to determine the individual's total income to be used, then enter in the income calculator

**Step 4**

Calculate the total household income to determine if the household is eligible for program benefits. Utilizing the drastic loss does not guarantee a household is eligible for program benefits.

**508 CHILD SUPPORT**

Child support income is excluded as an income source. If a client's only source of income is child support, then that client should be treated as a zero income claimant. (See Section 401.3) The client must complete an Income Verification Worksheet and provide supporting documentation.

**509 TRAVEL and MILEAGE REIMBURSEMENT**

Reimbursements for work or medical expenses (travel or mileage) are not eligible as unearned income and should be deducted from any YTD gross wages.

**SECTION 600**

**VENDOR NOTIFICATION AND PAYMENT PROCEDURES**

In FY2011, the vendor notification and payment procedures were modified to include IHCD as the third party payment administrator of EAP transmittals. However, the LSP is responsible for promptly notifying the eligible household's utility vendor(s) so that the EAP benefit can be applied to the bill.

**601 VENDOR MEMORANDUM OF AGREEMENT (MOA)**

To become a participating EAP vendor, all utility vendors must complete a **Memorandum of Agreement (MOA)** with IHCD. These **MOAs** are **signed** every year. **MOAs** must be completed in their entirety and include payment (ACH/check) information. Utility vendors **cannot be** paid if there is not a completed **MOA** on file. All vendors are required to complete a W-9 tax form, in addition to the **MOA**. If the vendor receives payments totaling \$600 or more, the vendor will receive an IRS tax form 1099 by January 31, detailing the total amount of payments received from the EAP program.

IHCD facilitates the MOU process each year by **sending previous utility vendors an updated copy of the MOA prior to the start of the new program year. This creates a**

direct relationship between IHCD and the vendor. However, the LSP should provide the current MOA to new utility vendors and provide IHCD contact information to facilitate processing. The MOAs are active for one program year.

## **602 EAP VENDOR NOTIFICATION PROCEDURE**

### **602.1 Transmittal Forms**

The **Daily Transmittal** form (see Appendix “J”) is a list of eligible households for whom the vendor applies the EAP financial credit.

The **Transmittal Summary** form (see Appendix “K”) is a list of processed transmittals from which to pay the vendor for credited utility bills.

When creating a transmittal, use the legal name of the utility vendor or supplier. Abbreviations, common name, or a vendor description (i.e. wood) should not be used.

### **602.2 Vendor Notification**

The vendor should be notified of client eligibility once the application is fully completed, signed, and approved by the authorized LSP representative. If the household is ineligible or is pending eligibility determination, an EAP benefit amount should *not* be recorded on the application. The vendor should *not* be notified prior to the benefit determination.

The vendor notification procedure is as follows. The LSP will generate the EAP Daily Transmittal Form(s) that will reflect client information obtained directly from the approved EAP application(s).

The purpose of the Daily Transmittal is to notify the vendor of approved households and their benefit awards. This notification should be sent to the vendor on a daily basis if electronic transmission is available. For the Universal Service Program, this is particularly important. Otherwise, weekly submission of transmittals should be the standard.

The EAP Daily Transmittal Form should be fully completed, except for the vendor's signature. The authorized agency representative will sign and date in the appropriate space and send the original to the vendor and maintain a copy for fiscal accountability.

Transmittal(s) signed by the agency representative signifies EAP approval of the listed households and financial obligations to the respective vendor. Transmittals should not be submitted to IHCD for payment until the signed transmittal is received. All changes to the transmittal should be documented with the signature page.

If the vendor makes corrections to the transmittals, the corrections will be marked on the forms and returned with the signature page. LSP must make corrections to the



clients' information in RIAA prior to submitting the transmittal to fiscal for payment. Once the transmittal has been submitted to fiscal, no changes can be made. The LSP will need to send an overpayment remittance to make corrections. (See § 601.5)

**Original or electronic signatures are not necessary on electronic transmittals.**

**Note:** cities, towns, and municipalities require payment receipt before the payment is uploaded to the clients account, according to auditing standards set by the State Board of Accounts. It is important to notify clients that their EAP benefit may take up to 60 days to process and should continue paying their utility bills according to their regular schedules.

### **602.3 Vendor Processing**

The vendor will review the EAP Daily Transmittal to verify the account and to acknowledge the EAP enrollments and benefit amounts. The vendor must report any discrepancies in client name, address, account number, billing amount, or bulk fuel order as soon as possible either by telephone contact or notation on the transmittal. **Phone calls, while useful, do not provide the LSP with the required written documentation for the client file. The vendor will not be provided additional information such as the applicants full or partial social security number. Sensitive information cannot be released to a third party (vendor). However, if the utility vendor needs to confirm an applicant's information to determine their correct utility status they should contact the customer directly.**

The authorized vendor (bulk fuel or regulated utility) representative will sign and date the appropriate space and return the EAP Daily Transmittal as soon as possible to the local agency for vendor payment.

The vendor signature on the EAP Daily Transmittal Form certifies that the vendor has acknowledged the EAP enrollment, credited the account or delivered the fuel, and (for regulated utilities) will protect the household under the provision of the "moratorium on disconnection" during the period of December 1st through March 15th.

If the assistance is not completely used, the remaining EAP benefit should be rolled over to the next **billing cycle** and placed on the customer's account as a credit. At the end of the program year, credits will remain on the customer's account. They are released to IHCD only if the client's account is closed (See Section 200 about Refunds and Overpayments).

Once the vendor has processed the transmittal, it is returned to the LSP. When the LSP has received the signed Daily Transmittal from the vendor, the agency must submit a claim via IHCD Online to request payment be remitted to the vendor within five calendar days of receipt of the signed transmittal. IHCD will receive the claim and confirms that a Memorandum of Understanding (MOU) has been received from the utility vendor. Wood vendors will need to also provide a copy of a W-9 tax form. Once

receipt of the MOU is confirmed, then the payment is processed for payment within 14 working days of receipt. The preferred method of payment is automatic clearinghouse (ACH), or direct deposit. However, vendors may request to receive paper checks, in lieu of the automated payment process.

All payments are processed within 60 days of the completed application.

#### **602.4 Crisis Assistance Benefits**

Crisis benefits for households will follow the same vendor notification procedure. Program enrollment can be verified by the EAP application on file at the local agency.

#### **602.5 Correcting Transmittals**

Supervisors or override users are the only users that have access to update information on the transmittal prior to submission to fiscal. The utility vendor may send corrections to a transmittal or batch of transmittals when they return the signature approval page. When those corrections are received, the supervisor or override user must go into the client's account in RIAA and update the account or benefit information as needed.

Once the transmittal has been submitted to fiscal, all changes must occur through the submission of additional transmittals or via overpayment remittances.

### **603 EAP VENDOR PAYMENT PROCEDURE**

The LSP will submit the transmittal to the utility vendor for approval. The utility vendor will review the benefit amount, account information, and billing information and will make changes as needed. Once the review is completed, the utility vendor will return a signed Transmittal Summary Form and corrections, if applicable. The Transmittal Summary is a comprehensive report of the transmittal(s) that corresponds with the dollar amount of the payment.

Quality assurance adjustments regarding household eligibility or benefit adjustment should be indicated on the Transmittal Summary Form. The vendor payment package to the LSP should include:

- Approval of the EAP vendor check amount;
- Transmittal Summary Form
- Copies of Daily Transmittals (optional if vendor has copy on file).

The LSP will complete the corrections, if necessary. The LSP will submit the approved transmittal(s) to IHCD for payment. **Any amount pledged and accepted by the vendor should be posted to the account at the time of notification. Payments are made in arrears.**

### **603.1 EAP Benefit and Sales Tax**

As applied to the sale of utilities to someone receiving LIHEAP benefits, the full amount of the customer's utility bill should be subject to sales tax. Thereafter, the monthly LIHEAP benefit should be applied to that bill without any deduction of sales tax. The client receives the entire LIHEAP benefit applied to the balance of their account.

### **604 EAP PAYMENT SCHEDULE**

LSPs should begin transmitting to regulated utilities as federal funds become available through IHCD. Regulated utilities should anticipate first transmittals for eligible clients no earlier than the **first business day in** November. Once transmittals are received by the LSPs from the utilities, the transmittals should be sent to IHCD by the LSPs within 5 calendar days of receipt from the utility vendors. Transmittals should not be sent to IHCD for payment until they have been approved, signed, and returned from the utility vendors.

Vendor **payments will be delayed** if transmittals are not returned promptly to the LSP or if **a current MOA** has not been received **by IHCD**.

### **605 TRANSMITTAL CORRECTIONS**

As a part of the state's program integrity plan, each agency is required to conduct a quality assurance review on at least 30 percent of its client eligibility files. This review may result in additional pledges to clients for underpayments or in payments to IHCD overpayments. **All corrections must be completed by the LSP and recorded in the RIA database.** (See Section 700)

#### **605.1 Credits**

If the review is completed and it is found that the client was due additional funds, then an additional transmittal is submitted to the vendor for the additional funds.

These additional funds will be paid out of the agency's current allocation. If the agency has spent out all program funds and an additional amount is owed, it must be paid by the local service provider using non-federal funds. Agencies should continue to charge underpayments to their current grant allocation, as long as the funds are available. Additional funds will not be allocated, nor will leveraging funds be available to cover underpayments.

#### **605.2 Overpayments**

An overpayment occurs when it is found that a client was overpaid. These are funds that need to be returned to the program. The funds are removed from the client's account and returned to IHCD from the utility vendor if the error is detected within sixty (60) days of the application's initial approval or denial. If the overpayment is discovered after the aforementioned sixty (60) day timeline, the LSP will be required to make all repayments to IHCD.

The money is not due to the client, nor does it get added back into the LSP's budget. Instead, the funds are used to fund other program activities. To collect these funds, agencies will submit an overpayment remittance in RIAA (formerly negative transmittal) as notification for payment. The utility vendor will send the payment along with the remittance to IHCD.

**Note:** Utility vendors have the option to decline the overpayment request because services and/or discounts have been rendered to clients. If utility vendors opt not to pay for overpayments or put charges back on clients' accounts, the LSP will be required to remit the funds back to IHCD from its private, corporate funds. IHCD will send a remittance for payment to the LSP.

**LSPs must repay negative adjustments from their corporate unrestricted funds. Federal funds such as LIHEAP Leveraging, CSBG, or other federal funds cannot be used.** Overpayments will be applied **back to the State overall LIHEAP budget.**

### **605.3 Overpayment Procedure**

- In the Quality Assurance Audit template in RIAA, the LSP should list the amount of the overpayment in the comments section of the review form.
- The LSP must send a notification to the client stating that a portion or all of the EAP benefit was revoked. This communication should include the LSP's reason. The client should be instructed to contact the utility vendor immediately to make payment arrangements. Failure to contact utility vendor may result in a disconnection.
- The LSP should immediately contact the utility vendor via Overpayment Notification in RIAA. Overpayment notifications should be sent to the utility vendor only for approval.
- The utility vendor will receive a transmittal form and an overpayment remittance. If the utility vendor approves the overpayment notification, the utility vendor will sign and return a copy of the signed overpayment remittance with a check for the funds requested to IHCD. The utility vendor will sign and return the transmittal to the LSP.
- Upon receipt of the overpayment from the utility vendor, IHCD will notify the LSP that the overpayment has been received.
- If the utility vendor rejects the overpayment request, the utility vendor will not sign the forms. The vendor will contact IHCD's CSBG and EAP Claims Specialist

about rejecting the payment request. IHCDCA will send a request for payment to the LSP.

- If the overpayment is detected more than 60 days after the application has been approved, the LSP should submit a payment to IHCDCA via check.

## **606 IHCDCA CLAIM REIMBURSEMENT**

The LSPs may claim reimbursement for EAP obligated funds from IHCDCA for Eligibility, Program Support, Energy Education, and Family Development. This procedure should sufficiently maintain the LSPs cash flow.

The IHCDCA staff **and contractors** will monitor and statistically sample the client files to ensure that the LSP is maintaining acceptable program eligibility documentation and financial payment records.

Approval of benefits by the LSP, which exceed the available balance of their allocation, or the maximum percentage of a particular line item, will not be reimbursed by IHCDCA.

## **607 TRANSMITTALS FOR MORATORIUM PROTECTION ONLY**

LSP must run a separate set of transmittals for clients who are eligible for moratorium protection, but agencies do not have funding available to distribute benefits.

In the RIAA software, agencies should click on Transmittals, and then go to Run Moratorium. The agency will choose the appropriate funding source, vendors, and claim end date. The transmittal process will run as normal.

When funding is made available, agencies must run the Hold Status Report. All clients on this report must be changed from ON HOLD to approved, and benefits must be distributed to all of the clients listed on the report. Agencies must run regular transmittals to notify vendors that funding is available.

## **608 ENERGY CONSUMPTION DATA TRACKING**

LSP must ensure that all clients who have received a disconnect notice, have been disconnected, are nearly out of fuel or are completely out of fuel are documented appropriately in RIAA at the time of their initial application.

The EAP Application **and Landlord Affidavit** will include a disclosure for all applicants.

## **700**

### **Program Performance and Integrity**

The Program Performance and Integrity process ensures that each LSP has internal controls that would protect EAP funds from waste, fraud, and abuse. Each year, IHCDCA

submits a Program Integrity Assessment Plan to the U. S. Department of Health and Human Services. This plan outlines risk analysis and fraud prevention. **This plan outlines but is not limited to:**

- Documentation of eligibility
- Identification of household members
- Second party review of cases (QA's)
- Third-party verification of information
- Procedures to identify, report and act on cases of fraud, waste, and abuse
- Program and fiscal monitoring
- Audit and audit reviews

As part of Indiana's Program Integrity Assessment, Indiana requires:

1. each LSP to complete Quality Assurance (QA) Reviews of no less than thirty percent (30%) of all EAP applications;
2. all agencies must conduct a review within **forty-five (45) days** of the date of approval or denial for all identified client eligibility files;
3. a review of each LSPs A-133 audit for findings related to LIHEAP, and
4. social security number and income validation.

During the annual program reviews, the monitor and/or monitoring consultants will ensure that all LSPs are compliant with these rules. The thirty percent (30%) should be maintained through the end of the program year. *LSPs can continue to correct all files and make changes in RIAA up to the end of the EAP program year (9/30).*

Additional performance benchmarks for LIHEAP are derived from obligation rates set forth in annual agreements, internal quality assurance percentages, basic eligibility requirements, and error rates from annual compliance reviews. These benchmarks ensure effective service delivery and administrative compliance.

According to your annual grant agreement, each local service provider is required to obligate funds according to the following benchmarks. These rates are based on historical trends of the last three program years:

- Obligating forty-five percent (45%) of the Grantee's LIHEAP funding under this Agreement by December of the program year;
- Obligating sixty percent (60%) of the Grantee's LIHEAP funding under this Agreement by February of the program year; and
- Obligating seventy-five percent (75%) of the Grantee's LIHEAP funding under this Agreement t by April of the program year.

Failure to meet these performance benchmarks may result in a reduction of your allocation during that program year. Those funds may be reallocated to other LSPs who have met or exceeded the benchmark.

## 701 INTERNAL CONTROLS

Each LSP must have written policies and procedures that ensure accurate client eligibility determination, benefit approval, and protection of the funds from fraud, waste, and abuse. The procedures must outline the agency's step process for completing appointment, processing a mail application, and calculating benefits. The policies must also provide steps to ensure that the following subsections are completed properly. In addition, these procedures will be reviewed during the onsite monitoring to ensure total internal compliance.

Validation of these procedures is completed through the LSP's Quality Assurance (QA) Reviews:

### 1. Purpose of Client Files

- Represent the implementation and outcomes of your EAP policies
- Tell the entire story of that applicants EAP process and should be clear to anyone reviewing the file

### 2. Elements of a Good Client File

- **Readable:** legible information in a logical order
- **Certified:** Appropriate documents are signed, dated and approved
- **Transparent:** The client has been served according to the program guidelines
- **Consistent:** All files are similar in set up, content and clarity
- **Secure:** All information should be safely stored and secured (§701.1)

## 701.1 Confidentiality and Security

### A. Security

Identifying applicants or clients as EAP recipients in an open forum (i.e. sign in sheets) is a violation of an individual's privacy and discloses confidential information. However, a LSP can identify individuals as customers.

All files should be easily accessible to appropriate staff without compromising confidentiality (e.g. locked file cabinets or password protected electronic systems such as computers). Confidentiality should also extend to the internal procedures, processes and outside contacts the LSP uses to administer the EAP program. The LSP should never conduct conversation with an individual in the presence of an applicant that might disclose internal procedures to the applicant, i.e. calling a utility vendor to pledge payment while the applicant is listening.

Applicant or client files are for "Internal Use Only" and should not be shared with any other local, state or federal program outside of your organization. However, the information belongs to the applicant or client and can be provided to them, if requested. It would be their information to share with any person or organization they choose. The

program file should indicate that information was released to the applicant or client. Records and Retention of EAP files is 3 years.

The LSP must strike out all but the last four digits of the SSN and driver's license number, if the copy is retained in the eligibility file or any time the LSP releases information.

### **B. Confidentiality**

All client records are considered confidential and should be open only to authorized personnel. Such information cannot be shared with unauthorized individuals. Private/Non-Public information includes the following:

- Household member(s) name
- Social Security Number
- Birth date
- Home phone number
- Home address
- Health information
- Citizenship
- Disability status

LSP's are required to maintain completed Employee Confidentiality Agreement records for all staff who have access to any personal clientele information and/or access to the RIAA System.

### **C. Release of Information**

#### **Release of Information (Client)**

Applicant or client files are for "Internal Use Only" and should not be shared with any other local, state or federal program outside of your organization and IHCD. However, the information belongs to the applicant or client and a copy can be provided to them, if requested.

#### **Release of Information (Third Party)**

Any client wishing to discuss his/her application with LSP staff may do so; however, if the client wants the application discussed with an authorized representative, he/she must designate that authorized representative in writing. The client file should indicate that information was released to the applicant, client or representative.

### **D. Program Forms**

Energy Assistance is a statewide program administered by various providers who each operate independently. To assure program consistency and integrity, certain functions of the EAP program must be standard across all service providers. For that reason any document that has an IHCD logo or is generated through the RIAA system is proprietary to IHCD and must not be changed or altered by the local service provider. In addition, the IHCD legal department has reviewed these documents to assure their compliance with state and federal guidelines.



#### **E. Records Retention** (Reference 75.361)

The LSP must maintain a backup (electronic or hardcopy) of the application and supporting documentation outside of the RIAA system. However, hard copies are no longer required:

- Approved Applications
- Denied Applications
- Incomplete Applications

LSPs shall also maintain all records relative hereto during the effective period of each grant agreement and for a period of three (3) years from the date the LSP submits to IHCD its final close out form, or one (1) year from the resolution of any outstanding administrative, program or audit question, or legal action, whichever is later.

LSPs shall protect all electronic and hardcopy documentation containing confidential client information. Confidential information means any individually identifiable information about the participants who receive services and/or assistance from LSPs and/or sub-recipients of the IHCD. LSPs shall properly dispose of any electronic or hard copy documentation containing confidential client information after the required retention period. A proper disposal of this information is one that is reasonable and appropriate to prevent any unauthorized access to confidential client information. Approved disposal methods include:

- Burn, pulverize, or shred papers containing confidential client information so that the information cannot be read or reconstructed;
- Destroy or erase electronic files or media containing confidential client information so that the information cannot be read or reconstructed
- Conduct due diligence and hire a document destruction contractor to dispose of confidential client information.

### **701.2 Client Assurance Reviews**

Quality Assurance (QA) Reviews are internal reviews conducted by the agencies to ensure that all applications are complete. A complete application must contain the following information:

- the household information;
- the statistical sections;
- the benefit information sections;
- the utility company information;
- the identification of application type, including TANF status; and, the signature and date on the application.
- a completed QA form, if the file has been reviewed
- Copy of notification or approval or denial of benefit letter

A complete application should contain the following supporting documentation:

- Social Security number for all eligible household members

- copies of the most recent or other appropriate fuel bills
- copies of income documentation
- notation of participation in Energy Education Class, if applicable
- case-management notes for further energy related services using the Family Development Matrix
- forms indicating referrals to other LSPs or programs
- other documentation including the intake worker's written comments (i.e. notes regarding contacts with utility companies)
- Any additional information is at the discretion of the LSP

QA reviews check complete applications to ensure that the following information was processed accurately:

- the completeness of the case identification information;
- the accuracy of the income computation;
- the points awarded correctly under each category;
- the points totaled correctly;
- the electric benefit is noted;
- a crisis benefit, if applicable, is noted;
- **the matrix form is signed and dated by the intake worker.**

IHCDA has developed a Quality Assurance monitoring tool in the RIAA software to track all internal QA reviews. It should be used by all agencies in reviewing files internally. During the monitoring review, the monitors or consultants will confirm that LSPs have monitored files with in the 45-day requirement. Failure to monitor files according to this schedule will result in a concern on the monitoring report.

**IHCDA Recommendation:** To reduce misplaced file documents, intake staff should write the application number on all documents where no such identification exists.

**Reviews should be conducted by a program supervisor or manager. Reviews must be performed on all:**

- **LSP staff or relatives receiving benefits** (the individual conducting the review should not be related to the recipient of the benefits). If the supervisor or program manager is receiving the benefits, the review should be conducted by the Program Manager and signed off by the Executive Director or their designee for determination for approval or denial of a benefit.

**IHCDA recommendation:** A high sampling of reviews should also be conducted on:

- **Zero Income Claimants**
- **Self-Employed Denied Applications**
- **New EAP Intake Staff**

**\* Reviews for the remaining applications are through the use of random sampling**

**IHCDA Recommendation:** LSP should use the Application Notes within RIAA to track Quality Assurance (QA) reviews and monitoring.

**IHCDA Recommendation:** After the QA reviews are completed, LSPs should compile a list of errors and use that information as a tool for future program training and development.

### **701.3 Zero Income Claimants**

Households that declare no income are required to complete a *Zero Income Claimant Form* (located in **Appendix O**) for each member claiming zero income at any time during the previous 12 months and document how their living expenses are met. In addition, each zero income claimant must support the claim with documentation from another social service or state program, like a wage inquiry from the Department of Workforce Development. **If there is no indication how a zero income household meets basic living expenses, then no EAP assistance should be offered.** This is not meant to disqualify a household with no income, but rather understand how such a household survives and if case management services would be appropriate.

Households which are found to have undeclared income, resulting in total household income exceeding the Poverty Guidelines, or resulting in getting benefits for which they were not entitled, should be notified that unreported income has been found. Further, the EAP benefit, which has already been given to the vendor, should be recouped.

The zero income claimant form should be completed in its entirety. Do not leave any blanks. If the line is not applicable, mark N/A.

**IHCDA recommendation:** To prevent fraud and abuse of EAP benefits among zero income claimants, the LSPs should review a higher sampling of these applications.

### **701.4 Landlord Affidavit**

All rental applicants must provide a Landlord Affidavit for the program year (See Appendix “D”) **or alternative documentation as noted below**. A collateral contact by phone, fax, or electronic submission to the landlord or management company for verification will be allowable. A hard copy should be obtained **and retained in the client file**.

If a landlord affidavit is not feasible, LSPs should consider alternative documentation such as:

- a letter from the township trustee,
- Memorandum of Understanding from rental properties,
- HUD Section 8 Reauthorization, or
- a current lease agreement within the past 24 months.

The Landlord Affidavit should be used to corroborate that the following information was submitted properly on the application and the proper matrix points were assigned as a result:

- Correct address
- utilities are listed in the name of a household member, landlord, or legal power of attorney
- correct primary heating source was listed
- correct dwelling type was listed
- subsidized household status
- confirm the number of adults and children in the household
- Special utility arrangements (i.e. base amount included in rent and the renter pays difference)

Verification of property ownership (See §302.9) may also help in the QA effort. If upon further review by the LSP staff, it is determined that a household has provided fraudulent housing information, the LSP should begin procedures to recoup the benefit. [See Section 701.6.](#)

A LSP cannot provide EAP benefits if the landlord acknowledges the renter is being evicted.

**IHCDA recommendation:** To prevent fraud and abuse of EAP benefits, the LSPs should review applications where the applicant and the landlord have the same last name.

## **701.5 Social Security Verification**

### **A. Eligible**

Each household member age one (1) and over must present a valid social security number as part of the eligibility process. The most acceptable for of social security validation is the member's social security card. However, other acceptable forms include:

- A letter from the Social Security Administration
- A Social Security benefit letter is acceptable, as long as the **full number** is provided and a photo identification card is reviewed
- Documentation from another categorically eligible program, as long as the full number for each household member is listed and a photo identification card for the adults in the household is reviewed, such as, but not limited to:
  - Medicare Benefit Identification,
  - FSSA benefit letter,
  - U.S. Military Identification (i.e. DD214 or AF-retired military)
  - U.S. Government Identification
  - Indiana Government Identification (photo ID with SSN- i.e. Dept. of Corrections or an expired driver's license.)

- Benefit Statement
- W-2 or 1099 with original signature

A SSN can be verified by viewing the SS card, another federal form with the full social security number printed on it, pay stub, or SSA benefit letter.

All LSPs are required to retain a copy of the documentation used to verify the SSN. If documentation from another categorically eligible program is used, LSP must retain a copy of the applicant's driver's license or photo identification.

## **B. Non-Eligible**

Documentation prepared by the client or a third party cannot be used to validate the SSN information for any household members.

- Individual Tax Identification Numbers (ITIN) numbers cannot be used in lieu of a social security number
- Intentionally invalid SSN entry
- Tax forms, other than a W-2
- Self-prepared tax forms (i.e. 1040, Income Withholding, etc.)

## **701.6 Procedures for Fraud, Waste and Abuse**

If a LSP believes that an applicant has received a benefit in error, due to misrepresentation or false reporting of their household information, it must begin an investigation. **Each LSP has the authority to request additional information from a household or independently verify information provided during the eligibility process.**

LSP should follow this process:

- Check the Ineligible Application List in RIAA
- Conduct a fraud investigation
- Notify IHCD of a fraud investigation and results when completed

In the event that the LSP confirms that the benefit should not have been administered, the LSP will begin its process to request repayment from the household and contact IHCD to ensure that the household members are added to the list of ineligible applicants until the time that payments are made.

The ineligible applicant(s) will be suspended from receiving future benefits until those funds are repaid. Therefore, they will remain ineligible until the start of the next program year after they have repaid the benefit.

The LSP can make a recommendation that the household is debarred from being able to participate in the program indefinitely, however this is subject to State approval. All applicants must be informed of their right to appeal.

#### Return of Funds

- Applicant returns funds to the LSP; **checks should be made out to IHCD**
- LSP will document the information in the applicant file
- LSP will send check to the Community Programs Manager along with the applicants information, application number and transmittal number.

#### 701.7 Processing Applications for Relatives and Staff

Any applicant, employed by the LSP full-time, part-time or contractually, or as a volunteer, defines agency staff. Relatives are any person(s) applying with the following relationship to a staff or governing board member:

- Spouse
- Sibling
- Parent or Grandparent
- Child or Grandchild
- Brother or Sister-in-law
- Aunt or Uncle
- Niece or Nephew

Any **governing board member**, relative or staff completing an application for the EAP benefits should have their file reviewed by the Program Manager or Executive Director for determination for approval or denial of a benefit. Relatives of the Executive Director should have their file reviewed and approved by a designated member of the agency's governing board or a board committee.

All required EAP policies, procedures and deadlines are applicable. LSPs may store applicant files with the Program Manager or Executive Director, as an added measure of privacy for agency staff and/or its relatives.

Each LSP should ensure that its Quality Assurance (QA) Review includes the following steps:

- Check that all required documentation is in the file (see Appendix W)
- Files include a signature or initial of the manager or governing board member designated to approve the application

#### 701.8 Proof of Residence

The household must provide proof of residence for anyone listed on the lease, mortgage, utility bill or other supplied documentation, but does not reside in the household. This documentation must confirm that the name listed resides at another address and should not be counted as part of the household income calculation or included on the EAP application.

Proof of residence may include:

- a letter from the medical or correctional facility,
- a lease or mortgage document,
- a bank or credit card statement,
- utility bill or other documentation with a current address.
- **A valid drivers license with a verified delivery, current lease or rental contract address.**

Hand written notes are not acceptable and the date of the documentation must be within the last 90 days.

### **701.9 Proof of Homeownership**

When determining if a household is eligible for the STATE EAP benefit, **the household must provide proof of homeownership**. This documentation must confirm that an individual in the household is listed as the owner of the property.

Proof of Homeownership may include:

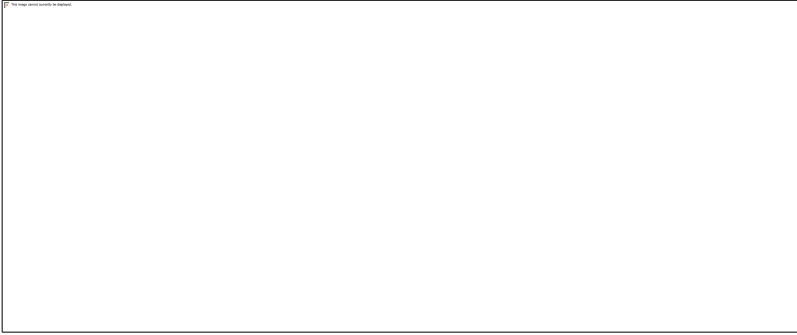
- Beacon or County Assessors websites
- Current Property taxes (Spring and/or Fall)
- Current mortgage statement
- Current homeowner Insurance
- Deed

Occupants of a household subject to a Life Estate are not considered homeowners because they are not the outright owner of the property; follow renter protocol. Upon death, the life estate paperwork will be used to show proof of homeownership until such time that the property is transferred into their name.

### **701.10 Proof of Veteran and Military Status**

These documents can be used to determine proof of veteran status:

- DD Form 214
- Veteran's Administration Identification Card (VIC)
- Retired Military ID Card (typically blue) – never expires
- Active Duty ID Card (typically green) – does have expiration date
- Reserve ID card (typically red) – does have expiration date
- Military Separation/Retirement Orders
- Veterans of Foreign Wars Card (VFW)
- American Legion membership Card
- Veteran's Administration Disability Award Letter
- A homeowner with a VA Loan
- **\*\*State Driver's License or Identification card (with veteran identification)**



### **701.11 Correcting Documents Documentation**

If an error occurs on documentation, the LSP intake staff should cross out the error, make the necessary correction, and initial and date next to the change. A notation should also be made in RIAA that a change occurred.

**EXAMPLE:** Landlord marks subsidized on the Landlord Affidavit for a Section 42 recipient. For EAP purposes Section 42 is not considered subsidized and the form should be corrected.

### **Client File Correction**

LSPs will have until 9/30 of the current program year to make any changes to an applicant's file in the RIAA system. To correct an EAP file, mark any changed documents as "corrected" and upload the revised version to RIAA.

After the LSP quality assurance review or the contract monitor reviews a file from the previous program year and correction to the file are required, the LSP should follow these steps:

1. Go to RIAA and the Applications tab
2. Click the historical tab (a pull down drop box will appear)
3. Click the application key
4. Find the client
5. Click on the correct individual in the correct program year that changes will need to be made
6. Click select (highlights) and the application will open
7. Click the edit button to make the appropriate changes
8. Scan adjustments to the same file

### **701.12 Intentionally Omitted**

### **701.13 Applicant File Documents**

#### **Standard Documents**

- LSP Completed Application-signed
- Utility Statement(s)



- Social Security (card(s) or other documents)
- Proof of Income benefits
  - Pay stub, W-2, 1040, etc.
  - Bank Statements
  - Zero Income Verification Affidavit
  - Department of Workforce Development Wage Inquiry
- Proof of Benefits
- Landlord Affidavit or Lease
- Proof of Homeownership (State)
- LSP worksheets & checklists

### **Supporting Documents**

- EAP Audit checklist
- Applicant Appeal letter
- LSP Appeal response letter
- Fraud investigation documents
- Death Certificates
- Proof no longer in the home
- Release of Information Statement
- Inoperable Heating Source Statement
- Utility Benefit Waiver Statement (\$500 limit)
- Power of Attorney Statement
- Communication with utility vendor
- Doctors letter
  - Unborn child
  - For the Air Conditioning program
- Other(s) as needed by LSP to determine eligibility and/or process the application
- Energy Education Pre & Post Test, if completed by client.

### **701.14 Scanning/ Uploading**

The LSP must scan and upload all hardcopy applicant files into the RIAA system. When scanning documents; make sure you scan *any* RIAA documents that are signed (i.e. application).

Also, make sure to scan all supporting or supplemental documentation needed to determine eligibility or process an application (i.e. utility statements, wage history, LLA, zero income verification affidavit, LSP created forms, etc.) or any non-RIAA written communications.

If changes need to be made to any documentation, scan the new or updated information labeled “corrected” to provide an accurate picture of the application. This will also aide LSP staff or contract monitors who may review the file at a later date.

In addition, when scanning Social Security or Driver’s License numbers follow information security protocols. If you need the complete SSN it will be available in RIAA.

**Reminders:**

- Do not scan blank pages
- Scan both sides of two sided documents
- All documents should be clear and legible

**IHCDA Recommendation:**

- If the LSP is using the electronic backup system, scanned PDF files should be labeled using the application number to assure client confidentiality.
- Develop an internal LSP scanning/uploading tracking system to assure all applicant files have been uploaded into RIAA

**Best Practice:** Stamp all files that have been completely uploaded into RIAA.

## **702 MONITORING AND COMPLIANCE**

The State has the responsibility to ensure that all LSPs are correctly carrying out the administration of the program. Each LSP’s EAP program will undergo an annual monitoring review to evaluate execution of the guidelines established in the EAP Program Manual.

The State has contracted the fiscal claims and client file compliance reviews of the EAP program to a subcontracted monitoring firm.

The objectives of monitoring are to ensure:

- Proper application of written procedures, applicable laws, regulations and contract terms
- Administration of the program in a timely manner in accordance with the established time frames
- Household income is calculated correctly
- Application of appropriate EAP benefits to the clients
- Eligible costs are charged to administer the program
- The program is conducted in a manner which minimizes the opportunity for fraud, waste, abuse, and mismanagement
- Capacity to carry out the program goals and objectives

Additionally, the State is federally required to complete a risk assessment on each subgrantee. The risk assessment includes risk categories that generally cover use of

funds, claims and transmittal compliance, and findings/concerns/errors from monitoring. The risk assessment outcome may result in increased or decreased monitoring site visits.

## **702.1 Monitoring Process**

IHCDA will **randomly select** at least three (3) percent of the LSPs client eligibility files and submit the files to the contract monitors for the review. Incomplete files may be part of the file review and should be marked accordingly including the reason why they are incomplete **or denied**.

Notification of the visit will be sent at least 30 days prior to the visit. The LSP will receive the monitoring list of files according to the following schedule:

- For LSPs whose file total is 500 or greater, they will be notified no more than fourteen (14) days prior to the review.
- For LSPs whose file total is 499 or less, they will be notified no more than seven (7) days prior to the review.

The contract monitors will conduct the review at the LSP's primary location. Each review will include an entrance conference and the following:

1. **Client Eligibility Review** - review of applicant files for correct program documentation and income calculations.
2. **Financial Review**- review transmittal payments & processing time:
  - Within 60 days of a completed application
  - Submitted to IHCDA within 5 days of receipt from utility vendor
3. **Programmatic Interview**- The EAP Manager will be interviewed regarding the administration of the program, including:
  - LSP internal controls against employees receiving benefits
  - Participation in Energy Education Program
  - Outreach activities for at-risk applicants
  - LSP crisis procedures
4. **Performance Benchmarks Review**- Monitors will review the LSP's obligation of funds to determine if quarterly contract benchmarks were met and confirm that the LSP monitored files within the 45-day QA requirement.

## **Findings and Concerns**

The following are common findings and concerns that may be detected.

Findings are fiscal related and may require result in an overpayment or underpayment to the client resulting in a correction:

- Incorrect benefit matrix point allocation
- Household Income
- Dwelling

- Housing Status
- At-Risk
- Fuel Source
- Income calculation error
- No regional differential applied
- No State EAP applied for homeowners
- Unallowable costs charged on EAP claim

Concerns related to errors in executing and documenting the program rules and guidelines:

- LSP is unable to provide the application to review
- Application has not been signed or dated by the applicant
- No social security number was included in the documentation
- Signed lease or landlord affidavit was not provided in the documentation
- Client utility bill is not present in the documentation.
- Zero income verification affidavit documentation missing or incomplete.
- LSP performed QA on less than 30% of client files.
- QA was not performed within 45 days from completion.
- QA file was found to have errors.
- Staff or relatives of staff application not signed off by the Executive Director or designee.
- LSP didn't have signed IHEDA Employee Confidentiality Agreements for all staff working on the EAP Program.

### **ERROR RATE**

The error rate is the total number of Findings and Concerns divided by the total number of files (approved and denied) reviewed.

Error rate is considered a benchmark to identify if there is a need for additional training and technical assistance. The error rate may result in the LSP being placed on a modified/quality improvement plan.

### **EXAMPLE**

1 Finding + 5 Concerns= 6 total errors ÷ 75 reviewed files= 0.08 or 8% error rate

## **702.2 Return of Funds for EAP Monitoring Finding**

### **STEP 1**

Select Awards Claim Management

Create Claim

Select Award (LIHEAP) i.e. LI-015-0\_\_ (NOTE: for the program year of the refund)

Select Transaction Type (Return of Funds)

Claim List  
Click on claim  
Claim = enter amount on appropriate line  
Comment = "Return of Funds due to EAP Monitoring Finding"  
SAVE = upload copy of monitoring report w/ finding  
Submit document (attaches monitoring report to claim)  
Go to Summary = SUBMIT CLAIM

## **STEP 2**

Make check payable to **IHCDA**  
Place the receipt number from the Awards Claim List in the memo

## **STEP 3**

Mail check to: IHCDA Community Programs Monitor at 30 South Meridian Street,  
Suite 1000- Indianapolis, IN 46204

## **703 FINAL MONITORING REPORT**

Each LSP should receive a copy of the monitoring report within thirty (30) days from completion of the exit conference. LSPs may be granted ten (10) days from the exit conference to submit additional or outstanding information. Any outstanding information that is not received within ten (10) days will be considered a finding on the monitoring report.

The monitoring report, at a minimum, will include the number of files reviewed, the number of findings and concerns, amount of benefits to be paid to clients and IHCDA, and suggestions for future program enhancement. LSP will have 30 days from receipt of the monitoring report to respond.

The LSP will send the monitoring response to the contract monitor. Contract monitor will respond to the **LSP monitoring response** within 15 days. If the LSP chooses to respond to the contract monitor, the response must be sent within 15 days. If the contract monitor agrees with the response, the monitoring period is then closed, and the response is sent within 15 days.

If the LSP does not agree with the second response from the contract monitor, the LSP can appeal to IHCDA for a final decision on open issues.

Corrective actions the LSP may need to take include, but not limited to:

- Crediting funds to a client's account;
- Paying funds to IHCDA because of an overpayment;
- Reviewing an application to verify that portions of the application were properly processed;
- Asking the client for additional information; or

- Attempting to collect a debt.

#### **704 QUALITY IMPROVEMENT PLAN (QIP)**

As a part of the monitoring report, each LSP's error rate is assessed to identify if there is a need for additional training and technical assistance. The error rate is the total of findings and concerns divided by the total number of files reviewed. *If an error rate is 20 percent or higher, then the agency is eligible for a quality improvement plan (QIP).* A QIP is training and technical assistance plan that requires the agency to undergo three (3) additional monitoring sessions over 90 days, or one visit every 30 days. The agency's qualification for the QIP is identified in the monitoring report. IHCD will confirm the need for a QIP based on the agency's responses to the monitoring report.

The LSP is notified in writing no more than seven (7) days prior to the **onsite or desktop** monitoring visit. The monitoring notice will request that the agency have at least 50 client eligibility files per Service County available for review. The files may not undergo the agency's internal QA review in preparation for the visit, unless the files were pulled as a part of the daily QA process. The monitor will pull at least, but not limited, 30 client eligibility files at random. Only a client eligibility review is conducted during the visit. A report is issued within 15 days from the exit interview. The report will address any findings or concerns identified during the visit and offer programmatic recommendations to enhance the client eligibility review process.

After the third visit at the end of the 90 days, IHCD will assess the agency's client eligibility review process. If corrective actions have been made to remedy the findings and concerns, the agency will be cleared from the QIP, and the monitoring period will be closed. If IHCD finds that the agency is unable to successfully administer the client eligibility review process, then a funding determination will be assessed.

#### **705 MODIFIED QUALITY IMPROVEMENT PLAN (MQIP)**

As a part of the monitoring report, each agency's error rate is assessed to identify if there is a need for additional training and technical assistance. The error rate is the total of findings and concerns divided by the total number of files reviewed. *If an agency's error rate is between 15-19 percent, then the agency is eligible for a modified quality improvement plan (MQIP).* A Modified QIP is training and technical assistance plan that requires the agency to undergo three (3) additional monitoring sessions over 90 days, or one visit every 30 days. The agency's qualification for the modified QIP is identified in the monitoring report. IHCD will confirm the need for a modified QIP based on the agency's responses to the monitoring report.

The LSP is notified in writing no more than seven (7) days prior to the monitoring visit. The monitoring notice will request that the agency have at least 20 client eligibility files per Service County available for review. The files may not undergo the agency's internal QA review in preparation for the visit, unless the files were pulled

as a part of the daily QA process. The monitor will pull at least, but not limited, 20 client eligibility files at random. Only a client eligibility review is conducted during the visit. A report is issued within 15 days from the exit interview. The report will address any findings or concerns identified during the visit and offer programmatic recommendations to enhance the client eligibility review process.

After the third visit at the end of the 90 days, IHCD will assess the agency's client eligibility review process. If corrective actions have been made to remedy the findings and concerns, the agency will be cleared from the QIP, and the monitoring period will be closed. If IHCD finds that the agency is unable to successfully administer the client eligibility review process, then a funding determination will be assessed.

## **706 FAILURE TO MEET COMPLIANCE EXPECTATIONS**

If an LSP is unable to successfully complete the improvement plan, then the agency may be required to undergo additional monitoring during the next program year. LSPs who fail to complete quality improvement plans within two consecutive program years may receive a reduction in funding or reduction in service territory. See [45 CFR Part 75](#).

### **706.1 Monitoring Completion**

Completion occurs when consensus and compliance have been reached between the LSP, Contract monitor and IHCD. There is no established time frame for completion because it will be determined when the LSP meets all compliance objectives. It is the responsibility of the LSP to provide the required documentation that all criteria have been met. The involved parties shall clearly define on documentation which program year of the noted monitoring.

The monitoring session is not complete until a Monitoring Completion letter has been issued acknowledging all corrective actions have been satisfied of the noted monitoring.

## **707 INVESTIGATING FRAUD, WASTE AND/OR ABUSE**

The purpose of investigating fraud, waste and abuse are:

- to ensure that energy assistance benefits are received in the correct amounts and only by those individuals who are eligible.
- to recover tax dollars obtained by participants through fraudulent activities, unintentional participant error, administrative error or non-compliance.
- to deter future occurrences of fraud and/or non-compliance within all energy assistance programs and to help maintain program integrity.

The three (3) terms should not be confused with **Non-compliance**, which is the failure of the individual participant to act in accordance with the rules and regulations of the energy assistance programs.

**Fraud** is defined as “wrongful or criminal deception intended to result in financial or personal gain.”

**Waste** is defined as “consuming, spending or expending thoughtlessly or carelessly.”

**Abuse** is defined as “misusing or using improperly or excessively.”

While all three (3) of these situations have serious financial implications for an LSP, fraud occurrences will likely be the most investigated. Fraud occurs when a participant knowingly and willfully provides false information about his circumstance. Fraud also occurs when a participant intentionally fails to report changes in his or her circumstance in a timely manner in order to receive benefits for which he or she is not eligible. To constitute fraud, the participant must know that the information he or she provides is false and that he or she did so with the intent to gain something or value.

A participant providing incorrect information by mistake is NOT committing fraud. Also, a participant does not commit fraud if he or she is unaware of their responsibility to provide certain information. The participant may provide false information for reasons other than to receive excess benefits, in which case he or she is NOT committing fraud. For instance, the participant may have an embarrassing situation that causes them to fail to report the actual circumstances of their situation. Or, there may be other reasons that need to be taken into consideration for concealing the truth or failing to report changes.

**Early Detection and Prevention:** Early Detection and Prevention is designed to detect and prevent fraud prior to authorization of energy assistance benefits. Effort needs to be taken to keep fraud and non-compliance from occurring in the first place. By practicing early detection and prevention, the intake worker can refer applicants who meet certain conditions to their supervisor for in-depth examination.

This begins with thorough training of all intake workers. The intake workers must be capable of conducting detailed eligibility interviews and identifying cases that need to be referred to their supervisor. An initial step is to check the RIAA Ineligible Applicant List. This will let you know immediately if the applicant should be processed further.

Another step is to make sure that all applications are fully completed and no information is missing or doesn't make sense. Questions should be asked in all situations where the intake worker needs further or more definite clarification.

Even though early detection and prevention are utilized, there will still be situations where people receive benefits they are not entitled to. Once this happens, notification



is usually through a whistleblower, an anonymous tip or an agency monitoring or other action. This is when an investigation is initiated.

**Investigative Steps:** An investigation is a detailed examination or search to determine if an individual has committed an act of non-compliance or fraud and/or received benefits to which they were not entitled, resulting in a claim. When an investigation is started the following steps should be followed:

1. An In-House Investigation: These are things that can be done at the agency through the agency's records and database.

a. Determine Eligibility Factors: Based on the information received from the applicant, are they eligible for energy assistance? If there is a specific eligibility question for the applicable time period, consult the Energy Assistance Guidelines for that time period.

b. Review Background Information: Review background information that is available at the agency about the applicant. There are several different sources available:

- i) Previous EAP application
- ii) RIAA database
- iii) Public and Government Websites

Determine whether the information received from the applicant conflicts with any information found during the background checks or received from an informant. If there are no conflicts, there is no need to proceed any further. If information does conflict in some fashion, further investigation is needed.

**Documentation:** It is vital that each step taken in the course of the investigation is documented in chronological order. This will provide a detailed and complete record of the processes used and the information obtained. Documentation will include investigator notes as well as copies of relevant documents. These are not just important for agency records, but also in situations where law enforcement will need to be involved. There are six (6) basic questions to keep in mind while collecting information during the course of any investigation:

1. WHO. The case should include the names, addresses and phone numbers of the applicant and other contacts made regarding the investigation.
2. WHAT. The case notes should reflect all the eligibility factors being investigated, such as: income, household composition, resources, living arrangements, etc. Make sure the applicant is eligible in all areas of eligibility, not just the area that prompted the investigation.

3. WHEN. Write down the date and time of all contacts made during the investigation. This will be needed should the case be appealed or if law enforcement gets involved.
4. WHERE. Write down the correct address, location and time of any interview, home visit or other fact gathering activity.
5. WHY. Write down the reason(s) for the investigation in the first place and reasons for any actions on the case.
6. HOW. Document the way in which the information was received.

**Potential Sources (To assist with your investigation):**

Employment Records: Does the name match on the income documentation? Does the social security number match on the award letter or tax return? Does the participant work for the State of Indiana? Review records for tax deductions for children.

Utility and Phone Bill: Contact the utility and phone service providers to determine who is billed and pays for the service.

Landlord or Mortgage Company: Contact the landlord and ask if he knows who lives in the rental property. Obtain a copy of the rental agreement or mortgage papers to determine who is a party to the contract. Determine who pays the mortgage.

Courthouse and/or Records Office Records: Both of these areas are valuable sources of information. You will be able to determine recent loan, judgment, mortgage and real estate transfer activity of the participant or property owner. You can also search divorce, custody and marriage records.

Sheriff or Police Department: Local law enforcement agencies keep records of all calls and investigations. If law enforcement made a trip to the participant's address, they may have listed the names of all persons living there.

**Confidentiality**: The investigation of possible fraud, waste or abuse should be kept as confidential as possible. This is done to ensure the integrity of the investigation. The more people who know about an investigation, the greater the chances of the subject finding out about the investigation. Knowledge of and participation in an investigation should be shared only with necessary persons.

**Final Steps**: Once the violation has been identified, investigated and supporting documentation has been reviewed and corroborated by the agency, action needs to be taken against the participant's application or against their benefits if they have already been distributed. Actions taken can range from the rejection of the application to the termination of benefits and request for repayment of funds. The case can also be submitted to Federal Officials if the situation warrants.

The IHEDA Community Programs Monitor and Compliance Attorney are available to assist at any phase of the investigation, if needed. **Contact IHEDA Community Programs staff or Compliance Attorney to inform of all alleged or substantiated acts of fraud, waste and abuse.**

## **SECTION 800**

### **MAIL-IN PROTOCOL**

According to Assurance 3, states are required to conduct outreach activities that will assure that eligible households, especially households with elderly individuals or disabled individuals, or both, are made aware of available assistance. All agencies serve these households through a mail-in process, which allows the eligibility determination to be accomplished without a face-to-face interview.

Some LSP have included families with children 5 and under the other “at-risk” group in EAP. We encourage LSPs to continue to expand their mail-in groups, particularly experimenting with the working poor to whom coming to the office may mean taking time from a job and losing pay.

### **801 APPLICATION DATES**

All clients from the previous year’s EAP database **who are identified as At-Risk** population, may be sent a mail-in application packet. LSPs can mail applications for **FY 2017** beginning **September 1, 2016**. This is done to alleviate the congestion at the start of the fall appointment period. Completed applications for the **FY 2017** program may be entered into RIAA beginning **September 7, 2016**. But no transmittals should be sent to the utility vendors until **November 1, 2016** or after. Nor should the Applicant Notification form be sent to households prior to **November 1, 2016**. The application date, is the date the LSP receives a completed application.

### **802 APPLICATION PACKET**

#### **802.1 Application Packet Contents**

Each LSP develops its own mail-in packet. However, the packet should contain the following:

- Energy Program Application form
- Things to Remember form
- Energy Assistance Application Checklist
- Forms for obtaining income verification or a process for obtaining third-party verification from the Social Security Office, DFR Office, or employer;
- LSP contact information, programs and services
- An addressed return envelope.

**\*\*\*New in PY2017** LSPs are required to collect and enter the data below into RIAA for Performance Measure requirements.

1. Households that do not have service because they are disconnected.
2. Households that do not have service because they are out of fuel.
3. Households that do not have service because they have inoperable equipment.

## **802.2          Returned Packets**

When the household sends or takes back the application packet, the package should be date stamped, or the return envelope kept in the file. These packets should be processed on a first-return, first-serve basis. Completed mail-in applications, received before November 1, may be assigned the date received instead of the program start date.

For mail applications, notification of approval or denial must be completed within **60 days** of application completion. Copies of the notification letters, either approval or denial, must be included in the client's file.

## **802.3          Incomplete Packets**

Incomplete packets should be followed-up immediately with a letter informing the client that:

- they have a certain number of days (at least ten business days) to return the proper information and/or verification;
- if the proper information or verification is not received in that designated time period then the client must come to the office for an appointment; failure to do so will result in a denied application.
- applicants must submit a new application, with updated income information if their application is incomplete for more than 60 days
- homebound clients, who were unable to complete the mail-in application, should be followed-up with a home visit if necessary; and
- clients should receive notification of their eligibility within sixty (60) days of the agency approving the completed packet, but no sooner than **November 1, 2016.**

## **803          OUTREACH AND CONTINUED ACCESS TO ON-SITE APPLICATION**

Also, in order to reach those clients who did not apply during the previous EAP year, information should be made available throughout the community explaining the mail-in procedure, the mail-in target population, and a telephone number for acquiring a mail-in packet. IHCD has designed a brochure for EAP and the Home Energy Conservation (Weatherization) Program. These brochures are available to agencies upon request. Mail-in applications remain a strongly recommended intake procedure.

Federal regulations mandate that walk-in sites be available for those clients who need crisis assistance, intake services, or help with completing their application. These sites must, of course, be available once the regular program begins.

## **SECTION 900**

### **SUMMER COOLING ASSISTANCE PROGRAM**

The statewide Summer Cooling Assistance Program for **PY2017** will begin **June 5, 2017** and end **August 11, 2017**.

Unless otherwise specified below, the rules established for the EAP Heating Assistance Program apply to the Summer Cooling Assistance Program (if funds are available).

#### **901 ELIGIBILITY REQUIREMENTS**

##### **901.1 Application and Eligibility Determination**

Households that received **PY2017** winter heating benefits and did not have their electric utility included in rent are considered eligible for Summer Cooling Assistance Program based on the previously approved application. A further eligibility determination is not necessary.

The program is not restricted to households that received the prior winter's heating benefits. A household that did not receive heating benefits the prior winter must be determined eligible under the guidelines as a **new** applicant. **New** households may apply; however, LSPs may begin taking new applications on or after **July 3, 2017**.

Households that were deemed ineligible prior to **May 12, 2017** may reapply as walk-in applicants on or after **July 3, 2017**.

##### **901.2 Categorical Requirements and Cooling Benefits**

All financially eligible households qualify for:

- a payment to their electric utility up to \$150,
- a room air conditioner, **if the medical condition affidavit is provided by a medical professional.**

The electric benefit is awarded to households that are responsible for an electric utility bill and will be paid directly to the electric utility vendor. A household whose electric utility was included in rent will be ineligible for a summer cool benefit. **The amount of the electric benefit will be determined prior to the start of the Summer Cooling Assistance Program and will be based on funding availability at that time.** There will not be a direct payment made to households with electric included in their rent.

Summer Cooling Assistance Program benefits will be tracked using the Summer Cool line item on the budget (Appendix “G”). Each agency will be allocated a certain amount of administrative funds to supplement the operating costs for running the summer cool transmittals.

### **901.3 Eligibility for a Window Air Conditioner**

Under certain limited circumstances, a household may be eligible to receive an air conditioning (A/C) unit, *plus the monetary benefits above*. LSPs are not required to provide A/C units as part of the summer program but must provide documentation to IHCD of their intent to not offer this service.

A room air conditioner may be awarded only to income eligible households that pay an electric bill and meet the medical conditions. All criteria must be met to receive an air conditioner:

1. The household must be financially eligible for the program as described above.
2. The household must have a verified medical requirement for an air conditioner. That is, a statement from a doctor or nurse practitioner that indicates a medical condition of a household member justifies the need for an air conditioner and that the lack of a room air conditioner in the household may seriously jeopardize the health of that person. It must be completed and signed in order to qualify for this benefit. HIPPA regulation will not allow the doctor or nurse practitioner to send the document directly to the LSP.
3. Using EAP program definitions, the household must be classified as at-risk: elderly, disabled, or have a child under the age of 5. (See § 302.4)
4. Households with an operating central air conditioning unit are ineligible for a window unit.

Exception to #3: *If a household applies which does not meet the third criterion but the LSP feels that it is a life-threatening situation, the LSP Program Manager may approve, by a written waiver, overriding the third criterion.*

A household will qualify for the air conditioner benefit no more than once every five (5) years, except in extreme circumstances such as a flood, tornado, or fire that caused the household to relocate. Households that received an air conditioner in **FY 2012** or prior are eligible for an air conditioner in **FY 2017**. Clients who received air conditioners between **PY2012 and PY2016** are ineligible for air conditioners at this time. To obtain a list of ineligible clients, go to RIAA and run the Client Type Report called “Receiving A/C between **6/1/2012 and 8/30/2016**.”

**All clients must have a signed Air Conditioner Affidavit (Appendix “Q”).** Written doctor’s statements are not acceptable forms of documentation.

#### **901.4 Client Re-Locating between Winter and Summer Programs**

EAP client that change service areas before the start of the Summer Cooling Assistance Program will have their benefits processed at the agency where their winter benefits were approved.

If a client moves from the original LSPs area but still maintains the same utility vendor (including account numbers), the client must change their address with the utility vendor. No action is required by either LSP because the award will be applied to the correct account.

If a client moves to a new LSP including a new utility vendor, the client must contact the original LSP to update utility information. The client must supply the original LSP a new utility bill to confirm the client name, address and account number.

#### **902 LIMITS TO THE VALUE OF PURCHASES**

The air conditioner purchase must be at least 5,000 (minimum) BTU capacity units, but not to exceed a cost of \$275. However, LSP should purchase the units at a lower cost when available. LSP can purchase additional A/C units (beyond the 10 allotted) if the LSP is able to purchase them for less than the \$275 and has funds remaining. Further, the household must sign a statement that they will not sell or transfer their air conditioner for a period of five years.

It is required that LSP purchase Energy Star rated air conditioners. Exceptions must be approved in writing by the Community Programs Manager.

#### **903 INVENTORY**

It is important to purchase enough of a supply of air conditioners to accommodate the anticipated demand, as well as obtaining a volume based price. However, inventory should be limited to avoid storage costs. We suggest that agencies plan to have no more than 10% of their volume on hand to carry over as inventory for next year. Any warranty issues with the air conditioner unit must be handled between the client and the agency. If the LSP has surplus A/C units that will be carried over to the next program year; LSP must submit the carry over numbers to IHCD.

Agencies may also issue a merchandise credit from the vendor and allow the client to pick up the unit on their own. Any warranty issues with the air conditioner should be handled between the client and the vendor. Agencies can run the vouchers using the RIAA system by accessing the reports function and selecting Cooling Assistance Vouchers.

The purchase of air conditioners will be tracked using the Summer Cool A/C Funds line item on the budget form (Appendix "G"). Agencies will submit a claim (not a transmittal)

to IHCD for the air conditioner units purchased. The claim must be submitted on IHCD Online, and a copy of the purchase invoice must be provided as proof of purchase. This claim will be submitted through the agency's fiscal department, not the RIAA system.

To track air conditioners in RIAA, the agency will create a transmittal. The transmittal will list the payor as "Self" with zero dollars.

## **SECTION 1000**

### **LEVERAGING INCENTIVE PROGRAM**

In 1992, federal legislation established the Leveraging Incentive Program to reward States under the Low-Income Home Energy Assistance Program (LIHEAP) that have acquired non-federal home energy resources for low-income households. Leveraging Incentive Program funds will be awarded to those LSPs that play an active role in developing or acquiring dollars that represent a net addition to the total energy resources available to the low-income in their areas.

#### **1001 LEVERAGING INCENTIVE AWARDS**

Under this program, Leveraging Incentive awards in one fiscal or program year (the award period) are based on countable leveraged resources that were provided to low-income households during the previous fiscal year (the base period).

States, territories, and tribes desiring Leveraging Incentive funds must submit an application each year - the federal "LIHEAP Leveraging Report" - that delineates the amount and types of leveraging activities they carried-out during the base period. HHS determine whether the reported activities meet the requirements of the statute and regulations, and therefore, are countable under the program for the purpose of determining allocation of the incentive award funds.

Once the State of Indiana receives a Leveraging award, it is allocated to the LSPs based on Leveraging activities that took place in their service area. **LSPs will be notified if federal leveraging funds become available.**

#### **1002 COUNTABLE LEVERAGED RESOURCES**

Leveraged resources means the benefits made available to Indiana's Energy Assistance Program, or to households qualifying for the program, insofar as the benefit represents a net addition to the total energy resources for the low-income client, expanding the effect of their federal LIHEAP funding.

Note that the households who "qualify" in this instance include any that have an income up to the federally established limit of 150% of poverty, whether they were an EAP recipient or not.



### **1002.1      Leveraged Utility Bill Assistance**

Any non-federal form of utility assistance to the low-income household may be reported by the agency as a leveraged resource. This would include assistance paid to or on behalf of a household by township trustees, local community organizations, churches, a landlord, or other individuals.

### **1002.2      Utility Company Programs**

Any utility vendor programs which benefit the qualifying population can be evaluated and counted as leveraged funds. This may include utility company fee waivers, discounts, deposit waivers, arrearage forgiveness, and/or the value of any other household benefit provided.

Also included is home weatherization or similar activities funded by utility companies. To the extent that labor and/or materials are provided by the utility company, the values can be counted as leveraged funds.

### **1002.3      Fuel Fund Programs**

Various activities are used to establish local fuel assistance funds to benefit the low-income. Efforts such as NIPSCO's "Gift of Warmth" and Duke Energy's "Helping Hand", programs that reduce a low-income consumer's bill can be counted as leveraging activities. IHCD is able to gather information from the major investor owned utilities doing business in Indiana. LSPs should look for other local fuel funds established by rural co-ops, municipal utilities, and bulk fuel vendors in their service territory.

### **1002.4      Donated/ Discounted Energy Related Items**

Any energy related items donated to a LSPs on behalf of qualifying households, or donated directly to the household, may be counted for leveraging. Such items have included weatherization materials and energy efficient lighting. Other donated items may include **thermostats**, smoke alarms, **carbon monoxide detectors**, windows, and doors.

LSPs may be able to obtain discounts on fans and air conditioners for the Summer Cooling Program. To the extent that they are either donated or discounted, the value of these donated goods and services may be countable. **LSPs should not purchase or accept donations of portable heating devices because of the inherent danger associated with them such as fires and the high energy cost.**

## **1002.5 Fuel Discounts**

Anytime a lower price for utility costs for a low-income household can be negotiated, the difference between the current price and the lower discount price can be counted as leveraged. In 1997, the Energy Assistance Program's Summer Fill Program began. Because it is a slow business time for most bulk fuel vendors, summer is a prime opportunity for the local agencies to negotiate for the delivery of bulk fuels at a lower price. In this instance, the difference between the "regular" summer price and the negotiated price can be counted under leveraging.

## **1003 ALLOWABLE USES OF LEVERAGED FUNDS**

When the Leveraging Incentive Program awards are made to the states all of the funds are then distributed by IHCD to the LSPs based on the portion leveraged in each service area. The funds received by the local LSP must be used to maintain or increase benefits to low-income households as a part of the Energy Assistance Program.

Leveraging funds should be used, in the same manner as crisis funding, to prevent disconnection or to assist with the reconnection of service. As with crisis, the amount of leveraging funds awarded should be up to \$200 for regulated utilities and up to \$400 for unregulated utilities.

If it is impossible to prevent the disconnection or to assist with reconnecting services, because the amount needed is too high, agencies may opt not to apply the benefit to the client's account as it is not solving the crisis.

Leveraged funds may *not* be used for administration or planning.

### **1003.1 Utility Assistance**

Leveraged funds may be used to augment the regular energy assistance benefits: heating, crisis, cooling, or summer fill benefits. This may mean the expansion of the number of households served. But it may also include the awarding of funds to a household, over and above the amount of the regular and crisis benefits, whenever the local LSP feels it is warranted.

When awarding crisis assistance, agencies should use the same guidelines as awarding LIHEAP crisis assistance - up to \$200 for regulated utilities and up to \$400 for unregulated utilities.

Funds may also be used to pay costs that are not eligible for payment under the regular EAP program (See § 204). *This could include deposit and reconnect fees.*

**PY 2017** Energy Assistance Program, the State of Indiana has not received a federal leveraging award.

## **SECTION 1100 APPEALS PROCEDURE**

### **1101 APPLICABILITY**

The Energy Assistance Program appeals procedure is required and must be communicated to households:

- A. whose assistance has been denied; or,
- B. whose application has not been processed in a timely manner and who has not received written notification of approval or denial within ten (10) days of the completed application; or,
- C. whose benefit has not been received within sixty days (60) of utility pay.

### **1102 APPEALS PROCEDURE**

The Appeals Procedure begins at the local level with an informal process designed to settle most problems through a review of the facts and resolution of the issues. This process can include assistance from the Indiana Housing and Community Development Authority. If the informal process does not resolve the matter there is a subsequent process whereby the complainant may ultimately have a formal review of the matter.

#### **1102.1 Informal Review Process**

1. The LSP must provide **written notification** of approval or denial to all households for Energy Assistance within ten (10) working days of the household's completed and processed application. The notification must include the household's right to appeal that determination.
2. If the applicant is not satisfied with any determination by the Program Director of the LSP, he/she may submit a written request to the Executive Director of the LSP for a review of the determination within ten (10) working days of receipt. The Executive Director or their designee shall make the determination of the applicants' eligibility on review within ten (10) working days of receipt of the applicants' written request.
3. If the applicant is still not satisfied with the determination after review by the Executive Director, he/she may request formal review by the State. This request may be made by submitting the APPLICANT NOTIFICATION FORM to IHCD. If an applicant needs assistance with this procedure, they may call the IHCD at 1-800-872-0371.
4. Upon a request for formal State review, the LSP will forward the household's application, the written notification of the household's denial, and other pertinent documentation to the IHCD's EAP Program Manager.
5. The EAP Program Manager and/or their designee from IHCD will review the materials submitted and issue a written finding to the applicant and the LSP, based on the documentation submitted.

## **1102.2 Formal Review**

If the applicant disagrees with the determination of the State EAP Program Manager, the applicant has the right to appeal to the Compliance Attorney of the Indiana Housing and Community Development Authority. The applicant must request this appeal within thirty (30) days of being notified of the State's decision. IHCD A will alert the LSP of the pending formal review. Requests for a formal review should be sent to the attention of:

**Community Programs Manager  
Indiana Housing and Community Development Authority  
30 South Meridian Street, Suite 1000  
Indianapolis, Indiana 46204**

The request for review must include the stated reasons for the Applicant's objection to the decision, which reasons must be based solely upon evidence supporting one (1) of the following circumstances:

1. Clear and substantial error or misstated facts which were relied on in making the decision being challenged;
2. Unfair competition or conflict of interest in the decision-making process;
3. An illegal, unethical or improper act; or
4. Other legal basis that may substantially alter the decision.

The Applicant will receive written acknowledgement of receipt of the request within five (5) business days of its receipt, noting the day the request was received. The IHCD A Compliance Attorney will have forty-five (45) days from IHCD A's receipt of the written request to review the file and make a determination. The decision of the IHCD A Compliance Attorney is final.

At the time of the formal review, the benefit in question will be considered as obligated until such time as the review is resolved. If the formal review is successful, the LSP will pay the benefit amount to the appropriate household or vendor. If the formal review is unsuccessful the funds will revert to the program.

## **SECTION 1200**

### **LSP BUDGETS AND CLAIMS SUBMISSION**

As a condition for receiving the LIHEAP block grant, the State of Indiana is required to account for the expenditure of those grant funds. The subcontracting network, the Local Service Providers, participates in this process by providing fiscal and statistical information.

## 1201 BUDGETS

The Energy Assistance Program budget (See Appendix “G”) should be submitted by each LSP to the Indiana Housing and Community Development Authority (IHCDA) at the time of initiation of the annual contract, its renewal, or upon a change of funding notification from IHCDA. The budget is effective October 1<sup>st</sup> through September 30<sup>th</sup>, each year. IHCDA will approve all budgets and subsequent modifications.

The submitted budget will be available on IHCDAOnline 48 business hours after receiving notification the document is available. To access the award the LSP will need to populate the data from the budget for both the Federal and State award of the new program year in RIAA.

The allocation formula for PY2017 EAP funds to the Local Service Providers will be based on the same formula as previous program years. If the federal appropriation exceeds the current projected amount, IHCDA will distribute these additional funds on an as needed basis. Grant amendments occur when funds are added or taken away from the LSP. The Executive Director will sign the legal documents and return to IHCDA with an updated budget. When submitting the first budget from the agreement, the LSP must mark “Original” on the budget form. For each amendment, the LSP must update the line item “Amendment” in the top right corner. Anytime IHCDA issues additional funds to a LSP, an amendment must be completed.

Budget modifications occur when agencies change the dollar amounts between line items. Budget modifications can be completed any time during the program year, as long as the budget meets the percentage requirements. When submitting the first budget from the contract, the agency must mark “Original” on the budget form. When submitting a budget modification, the agency must update the line item “Modification” in the top right corner.

LSP Budget	Allowed Percentage
13.5% Limit	
Eligibility (based on expenditures)	8.5%  (8.5% is exclusively for Eligibility and is not to be mixed with other budget lines)
Assurance 16 (5% of total expenditures) <ul style="list-style-type: none"><li>Program Support (not more than 3% of the total expenditures)</li></ul>	5%

<ul style="list-style-type: none"> <li>• Energy Education (Energy Education and Materials/Supplies Up to 3% of total award)</li> <li>• Family Development (Up to 2% of total award)</li> </ul>	<b>(5% cannot be mixed with the Eligibility Line Item)</b>
<b>Regular/Crisis Assistance</b>	
Regular Assistance	
Crisis Assistance (must set aside 8% budget through March 15.)	
<b>Summer Cooling Program</b>	
<b>Summer Cooling Benefits</b> (If additional funding is available, IHCD A will implement a Summer Cooling Benefit Program. If applicable, allocation will be provided after the heating season.)	
<b>Summer Cooling A/C Funds</b> (If additional funding is available, IHCD A will implement a Summer Cooling Benefit Program. If applicable, allocation will be provided after the heating season.)	
<b>The line item descriptions are allocated as follows:</b>	
Eligibility	Actual Cost
Program Support	Actual Cost
Energy Education	\$25.00/Hour of Service
Technology Enhancements	Actual Cost
Regular Assistance	Actual Cost
Crisis Assistance	Actual Cost
Summer Cooling Assistance	Actual Cost
Family Development	\$25.00/Hour of Service
Energy Education materials/supply	Actual Cost
Summer Cooling A/C Funds	Actual Cost

## 1201.1 Eligibility

Eligibility costs will cover overall **service delivery** of the program. Eligibility costs are defined as the agency costs for intake and eligibility determination and other associated costs.

Agencies may budget and use up to eight and a half percent (8.5%) of its total EAP budget for Eligibility. Any other federal dollars used in the administration of EAP *must be included* against this limit.

**Eligibility line items: Eligibility (no more than 8.5% of total expenses may be claimed)**

- EAP service delivery functions, including fiscal, executive, and support operations.
- EAP Program intake functions, including eligibility determination and verification, application processing, and transmittal processing.
- Costs such as rent, utilities, and supplies etc. that are directly associated with staff costs in the Eligibility category.

When filing a claim for eligibility expenses, your agency should include reports or registers from your accounting software, as well as purchase orders, invoices, and receipts where applicable. The documentation should support expenses that cover intake, operations, materials and supplies, rent, utilities, and other necessary eligible expenses.

## 1201.2 Program Support Costs

LSPs may budget and use up to three percent (3%) of total EAP dollars in this line item.

**Program Support line items: Program Support (no more than 3% of total budget)**

- Costs associated with program outreach including dissemination of program information, information on and referral to other programs, and staffing of outreach sites.
- Referrals to other agencies, assistance in budgeting for utilities, short-term case work, coordination of benefits on behalf of a household.
- Case work in response to a household's energy emergency, including all Crises related activities, such as intervention with utility companies, negotiation with township trustees or other agencies on behalf of a household.
- Costs such as rent, utilities, and supplies directly associated with staff costs in the Program Support category.

- This includes all expenses related to maintenance of seasonal outreach sites.

When filing a claim for program support expenses, LSPs should include reports or registers from your accounting software, as well as purchase orders, invoices, and receipts where applicable. The documentation should support expenses that cover outreach, referrals, case management, materials and supplies, rent, utilities, and other necessary eligible expenses related to the maintenance of seasonal outreach sites.

### **1201.3 Energy Education Costs**

LSPs may budget and use up to three percent (3%) of their total EAP budget among the Energy Education and Energy Education/Materials and Supplies line item categories. This is a direct program expenses that supports the Assurance 16 activities.

Energy Education - An energy education session conducted for EAP clients in a classroom, in-home setting, virtually, online or via mail. Sessions may be conducted in the office or any other appropriate setting such as Senior Centers, Head Start parent groups, Public Housing Authorities, utility offices, schools, etc.

LSPs may claim one \$25.00 payment per EAP approved eligible household within the *Energy Education Project classroom component*.

Other guidelines include:

- ✓ In order to receive payment, the household must be EAP approved;
- ✓ LSPs may develop their own energy conservation class. LSPs that choose to do so may consult with IHCD on curriculum contents and should have written training lessons available for IHCD review.
- ✓ Agencies may purchase necessary materials and supplies.
- ✓ Cost reimbursement for successfully teaching a one-period energy conservation class with an EAP household member. There is a one-time reimbursement per household per year.

**NOTE:** These funds must be spent within the EAP program on EAP funded activities and not be directed towards the LSP general budget.

### **Energy Education/Materials and Supplies**

- In order to properly conduct Energy Education classroom sessions, additional materials and supplies may be necessary. LSPs may also want to enhance their presentation with educational material not otherwise provided.
- Costs associated with materials and supplies needed to conduct the EAP Energy Education Program may include, but are not limited to, paper, pens,



client survey forms, conservation materials and pamphlets and brochures, air temperature cards, and other items normally associated with a classroom learning experience.

### **Energy Education Kit**

The following items are potential materials that may be included in an energy education kit.

- Carbon Monoxide Alarm w/ battery
- Radon Alarm w/ battery
- Smoke Alarm w/ battery
- Smoke and Carbon Monoxide (combination) Alarm w/ battery
- Energy Savings Smart Surge Protector (6ft. w/ 8 total outlets)
- 13 watt, energy star mini spiral compact florescent light bulb (CFL)
- 18 watt, energy star mini spiral CFL
- 23 watt, energy star mini spiral CFL
- 13 watt, energy star dimmable CFL
- 18 watt, energy star dimmable CFL
- 23 watt, energy star dimmable CFL
- Green Deeds Energy Conservation Wheel
- Hot Water Temperature Card
- Refrigerator/Freezer Thermometer or Refrigerator/Freezer Temperature Card
- Window Kit (shrink fit 42 x 62)
- Window Kit (shrink fit 62 x 210)

**NOTE:** LEDs can be substituted for CFLs

Budgeting reminder: The combined total of (energy education) + (energy education/materials and supplies) cannot exceed three percent (3%) of the total EAP budget.

When submitting a claim for Energy Education and Materials, agencies should submit a copy of the **pre- and post-tests or surveys** or the Application Actions Report from RIAA to be reimbursed for participants. For materials or supplies, the LSP should provide purchase orders, invoices, or receipts and a report from the LSP's accounting software showing that the purchases were booked in the LSP's books.

### **1201.4 Technology Enhancements**

The Technology Enhancement Budget line item was deleted in PY2017. Technology expenses, including annual maintenance and support of technology should be included under Eligibility or Program Support, wherever is most applicable.

## 1201.5      **Benefit Costs**

Funds for benefits are allocated among Regular Heating Assistance, Crisis Heating Assistance, and Summer Cooling Assistance. Benefit costs should be budgeted based on the agency's historical expenditures, weather projections, and fuel cost projections. Other federal dollars may subsidize this non-administrative category.

Although agencies may move funds from one benefit line item to another throughout the year, some funding should be maintained in heating and crisis components beyond March 15<sup>th</sup> and cool and fill components through mid-summer.

### **Benefit line items:**

**Heating Assistance:** Heating benefit costs budgeted for payment to utility vendors on behalf of eligible clients.

**Crisis Assistance:** Crisis benefit costs budgeted for payment to utility vendors on behalf of eligible clients. LSPs must budget on this line item. IHCD will send out the required percentage for this requirement on or before December 1. Funds should be maintained in the Crisis line item through March 15, if possible, when they can be moved to other line items. If LSPs need to make changes to the required percentage, then the Executive Director of the agency should request an amendment to the EAP Program Manager.

**Summer Cooling Assistance:** Cooling costs budgeted for payment to electric vendors for eligible clients. LSPs will not allocate funds to this line item until after the heating season has ended.

**Summer Cool Air Conditioners:** Costs associated with purchasing air conditioners. LSPs may keep an itemized inventory onsite or distribute store credits. When claiming for air conditioners, the LSPs must provide a copy of the purchase order, invoice, or receipts.

## 1201.6      **Family Development**

LSPs may budget and use up to two percent (2%) of their total EAP budget in the Family Development category. Other federal dollars may subsidize this non-administrative category without any effect on this limit.

In order to continue to support the Family Development Program, after the client has completed the energy classroom session, they are eligible for further case management services, using the Family Development matrix, **with an emphasis on energy conservation**. Clients currently in Family Development must attend the energy education session for the agency to be able to continue to claim against this line item for case management activities. The agency will be reimbursed \$25.00 per hour of service, per household, for continuing the holistic approach under Assurance 16 by a Family Development Specialist. Document in the case file any Family

Development activities and related costs. Agencies must be capable of reporting the number of participant families to the State.

**Family Development line item:**

**Family Development \$25.00 / Hour of Service**

- Costs associated with short-term, intermediate, or long-term case management intervention with an EAP household. Including needs assessment and energy counseling within the Family Development Plan using the matrix score sheet.
- Cost associated with travel to provide services to client(s).
- Cost associated with staff training.

When submitting a claim for Family Development expenses, the agency must provide one of the forms of verification as supporting documentation.

- Copies of payroll records/ledger that identify the number of hours spent on Family Development
- Timesheets from the Family Development Specialist
- Paystub showing hours paid for family development
- Transfer documentation or journal entry if the expenses are reimbursed from another program that pays the employee's salary

**1202 ONLINE CLAIMS SUBMISSION**

All service providers must submit claims for their administrative expenses and including energy education, family development and program support at least monthly. All claims and supporting documentation are submitted online at [IHCDOnline.com](http://IHCDOnline.com)

**1202.1 Submitting a Claim Online**

All claims are submitted online through <https://ihcdaonline.com> Follow the IHCD A Claims Manual located on the IHCD A Partner site <http://www.in.gov/myihcda/2477.htm>

**1203 PROCESS FOR REQUESTING ADDITIONAL FUNDS**

LSPs may request additional funds from the state if they have obligated at least 85 percent of their current available benefit dollars (regular and crisis assistance). A request for additional funds must be sent to the Community Programs Manager from the LSPs Executive Director. It is preferred that the request be submitted on agency letter head and must include:

- Estimated number of clients to be served and average benefit per client (this should include a summary of appointments currently scheduled and estimated number of mail applications to complete)

- Estimated amount of funds to be used toward program administration
- Total amount of funds needed
- Estimated length of time that the funds will cover

The program manager will review the funding request to ensure that the information provided reconciles and evaluates historical trends from the previous year to ensure that the estimated service delivery seems reasonable given trends from the previous years.

If there is not enough available funding to complete the request, the Community Programs Manager will request that the LSPs amend the request based on the balance of available funds. The funds are not available to the LSP until the amendment is signed and returned to IHCD.

## 1204 RECAPTURE AND REDISTRIBUTION OF FUNDS

To ensure that LIHEAP dollars are maximized for the duration of the program year, local service providers are required to conduct periodic funding analyses and remit the information to the Community Programs Manager for review. The funding analyses are due February 28, April 25, and June 30 of each program year. The local service provider will submit the following report for each funding source to the Community Programs Specialist:

Line Item	Budgeted Amount	Expended through 5/31/17	Carryover Amount	Exceeded allowable %
Eligibility				
Program Support				
Family Development				
Energy Education				
Regular				
Crisis Assistance				
Summer Cool				
A/C				

The final report is reviewed by the Community Programs Manager and funding recommendations are submitted to IHCD's Executive Director for final approval.

## **1204.1 Energy Crisis Intervention**

If an energy crisis is identified or energy emergency is declared during the funding analysis calendar, the state office may amend the funding analysis schedule to accommodate the energy needs of low income households. Funding analysis reports would be due by January 31 of the program year.

The Community Programs Manager will determine if a recapture is required to mitigate the crisis. Local service providers will be notified of the recapture and redistribution of funds at least five days prior to the funding realignment.

## **1205 Procurement**

All procurement activities shall be conducted in a manner to provide, to the maximum extent practical, open and free competition. Each LSP must develop their own procurement standards based on their organization's procurement policies.

When an LSP purchases items for the energy assistance program, they must follow all agency, State and Federal procurement guidelines. All purchases must be eligible expenses. All purchases over \$5,000 must follow the guidelines established in the EAP Agreement.

## **1206 Program Grant Closeout**

The grant cycle for the energy assistance program closes on September 30 of each year. To close out the grant cycle, the program's allocation spreadsheet and budget forms will be reconciled to the closeout form.

### The Close-Out Process

Step 1: LSP is notified of the closeout date and sent the close out forms.

All closeout forms must be received 45 days after September 30<sup>th</sup>.

The closeout form and the final claim must be received November 15<sup>th</sup>

Step 2: The close out form is reconciled to the allocation spreadsheet.

Review the Final Budget Amount on the allocation spreadsheet and match the amount to the final allocation amount on the closeout form.

Review the Final Grant Expenditures Amount and match to the final expended amount on the close out form.

If there are discrepancies in these amounts, contact the LSP for clarification.

## **SECTION 1300**

## **SPECIAL PROGRAMS**

### **1301 UNIVERSAL SERVICE PROGRAM (USP)**

*The USP was renewed in May 2014 to run through September 30, 2015. These funds will be renewable thru the year 2020.*

The Universal Service Program (USP) is the result of an agreement among Vectren Energy Delivery of Indiana and Citizens Energy Group in Indianapolis, the Indiana Office of Utility Consumer Counselor, the Citizens Action Coalition of Indiana, the State of Indiana and a group of manufacturing and health providers. On August 18, 2004 the Indiana Utility Regulatory Commission (IURC) approved a two-year pilot program to help low-income natural gas customers by providing reduced bills and promoting energy efficiency and conservation.

Eligible customers who have applied for the Energy Assistance Program (EAP) through their Local Service Providers will automatically be enrolled in the new USP and will receive monthly utility bill reductions during the months of December through May in addition to their EAP assistance benefit. The amount of the monthly bill reduction will vary among EAP clients. For qualifying Vectren customers, monthly bill reductions will likely range between 15 to 32% of the total bill (not including EAP benefits). For qualifying Citizens customers, monthly bill reductions will range from 10% to 15% of the total bill (not including EAP benefits).

To qualify for USP, a client must meet the following criteria:

- Enroll in and be eligible for assistance from EAP;
- Their account must be designated for residential gas heating;
- They must reside at the service address; and
- There must be only one account in the client's name.

Over 50,000 Vectren and Citizens customers are expected to participate in the USP program. After tracking the efficiency of the program, the IURC and parties to the agreement will review to determine whether to make it permanent.

The USP will also provide additional funding to Vectren and Citizens customers in the form of crisis assistance programs, which target qualified low-income and working poor households that need additional help to get reconnected and/or maintain heat throughout the upcoming winter. The programs will provide assistance to households up to 200% of the poverty level who might not otherwise be available for traditional assistance.

Northern Indiana Public Service Company (NIPSCO) will also continue its CARE Discount Program in conjunction with revisions made by the Indiana Utility Regulatory Commission.

### **1302 WATER UNIVERSAL SERVICES PROGRAM (WATER USP)**

*The Water USP is a proposed discount for EAP customers who receive services from Citizens Energy Group (CEG). CEG's service territory covers Marion, Johnson, Boone, Hendricks and Morgan counties. CEG applied for the Water USP credits during the*

*summer. The program, if approved, will provide discounts to EAP customers beginning June 2016.*

All LSPs are required beginning PY2016 to collect water account information from EAP applicants for the aforementioned service areas. CEG will communicate all water benefit information once the program begins. Client who are approved for EAP benefits will qualify in PY2017 for this program.

### **1303 FAMILY DEVELOPMENT PROGRAM**

#### **1303.1 Program Overview**

Family Development was implemented on April 1, 2000. The premise of the Family Development Program is that the provision of intensive case management services will increase the long-term stability of low-income families. The Program is a means by which to strengthen the family by providing guidance and support to address issues that impede self-sufficiency. Like in the 1997 REACH Program, Action Plans were developed to effectively address most needs and/or concerns of the familial unit that might impede stability or independence. A matrix score sheet kept track of the achievements of the family. In 2010, the program was revamped and has been fully implemented by the Indiana Community Action Association (INLSP). All trainings and certifications are offered by INLSP.

The Family Development Plan Matrix, with an emphasis on energy conservation, should be used with EAP clients who continue in case management after attending the energy conservation class.

#### **1303.2 Certification Process**

There are currently two types of certifications in Family Development - Family Development Specialist and Family Development Outreach Worker.

The **Family Development Specialist** certification track is designed for individuals who do intensive case management with clients using the family assessment tools and who work with clients to set goals, develop a plan to achieve those goals, and empower clients to reach self-sufficiency.

The Family Development Specialist must complete three and a half (3 ½) days of training. The training includes: a half day of Matrix training, three days of family development training, and pass an exam.

After completion of the certification, certified specialists must be complete four (4) continuing education units (CEUs) each year. The specialist will need to complete eight (8) CEUs at the end of a two year term.

The **Family Development Outreach Worker** certification track is designed for

individuals who spend limited time with clients and who do not conduct intensive case work with families. This could include administrative staff, intake workers, and Energy Assistance Program staff. This certification provides them skills to effectively interview clients, identify barriers and possible strategies to help them, and who and/or what resources to refer them to for needs beyond emergency services.

The Family Development Outreach Worker must complete one (1) day of training. This training includes: a half day of training on the Family Development Matrix and a half day of training that focuses on the worker's knowledge, skills, and abilities about the program.

After completion of the certification, the certified outreach worker must complete three (3) continuing education units (CEUs) each year. The outreach worker will need to complete six (6) CEUs by the end of the two-year term.

**Certification is not mandatory in PY 2017.**

### **1303.3          Funding Family Development**

Each agency is allowed up to two (2) percent of its EAP budget to support family development activities. To claim family development dollars, agencies must have their staff complete the certification process.

### **1303.4          Family Development Train the Trainer Program**

There is a certification track to become a certified **Indiana Family Development Specialist Trainer**. These individuals must complete the certification requirements for the two certification tracks above as well as attend a train-the-trainer course and complete an internship. These trainers will also be called on to conduct FDCP trainings throughout the state as necessary.

To become a certified trainer, the applicant must complete nine (9) days of training. The training includes: completing both tracks for outreach worker and specialist (4 days), passing the exam, completing the train-the-trainer program (2 days), and completing the internship (3 days).

After completion of the certification, certified trainers must be complete four (4) continuing education units (CEUs) each year. The trainer will need to complete eight (8) CEUs at the end of a two year term.

### **1304              Hoosier Healthwise**

Hoosier Healthwise is a health insurance program for Indiana children, pregnant women, and low-income families. Health care is provided at little or no cost to Indiana families enrolled in the program. The enrolled member chooses a doctor to



get regular checkups and health care for illnesses. Other health needs such as prescriptions, dental care, vision care, family planning services, and mental health services are also available as part of the Hoosier Healthwise program. Call **1-800-889-9949** to get information about the Hoosier Healthwise program.

### **1305            HoosierRx**

Indiana's State Pharmaceutical Assistance Program, Hoosier Rx, can help pay the monthly Part D premium, up to \$70 per month, for members enrolled in a Medicare Part D Plan working with Hoosier Rx.

**To be eligible for the HoosierRx program you must:**

- Be 65 years or older;
- Reside in Indiana permanently;
- Have a yearly income of \$15,840 or less for a single person; or \$21,240 or less for a married couple living together;
- Have applied for the "Medicare Extra Help" through Social Security to pay for your Medicare Part D plan, and received either a "Notice of Award" or "Notice of Denial" from Social Security;
- Your Social Security "Notice of Denial" must be because your **resources are above the limit established by law.**
- Your Social Security "Notice of Award" must state that you are receiving **partial extra help** subsidy to help pay for your Medicare Part D premium.

If you think a client meets these eligibility requirements, they should call a Hoosier Rx representative at 1-866-267-4679 or visit the Hoosier Rx website at [www.IN.gov/HoosierRx](http://www.IN.gov/HoosierRx).

Companies offering Prescription Drug Plans working with Hoosier Rx: AARP/United Healthcare, CIGNA Healthcare, Coventry Advance Rx, First Health, Humana, Member Health, Prescription Pathway, SilverScript, and WellCare.

### **1306            Healthy Indiana Plan**

The Healthy Indiana Plan will provide coverage for qualified adults ages 19-64.

For more information log onto: <http://www.in.gov/fssa/hip/>  
or 1-877-877-GET-HIP-9

### **1307            Lifeline/Link-Up**

Lifeline provides a monthly discount on basic local telephone service for eligible consumers. The Lifeline program is available for only one phone line per eligible home.

Link-Up provides eligible consumers with discounts on connection charges for new local telephone service and may enable clients to finance a portion of the connection charges interest-free for one year. The discount is available for only one telephone line per eligible home.

A simple application is available from your local telephone company or online from the Indiana Office of Utility Consumer Counselor. When returning the completed application to your phone company, the client must include documentation that they participate in EAP.

A consumer enrolled in EAP may be eligible if:

- The telephone service is listed in the clients name;
- The client is not a dependent on another person's tax return;
- The telephone service must be for the primary residence.

For more information, contact the Indiana Office of Utility Counselor. Their web site is [www.in.gov/oucc](http://www.in.gov/oucc).

## **1308 Duke LED/CFL Program**

The Duke CFL Program is an energy conservation program designed to increase home energy efficiency through the distribution of CFL light bulbs. This program will serve 10,000 clients within the Duke's service territory statewide. These agencies include: Area IV, Area Five, CFS, CAGI, CAPE, CASI, COWI, HSI, HUEDC, ICAP, LHDC, OVO, PACE, REAL, SCCAP, SIEOC, TRICAP, and WICAA.

### **1308.1 Eligible Households**

To be eligible to participate in the CFL Program, must use Duke as the electric service provider, and must have never received CFL light bulbs from Duke previously.

### **1308.2 Conservation Kits**

Each client will receive a kit that includes 12 CFL light bulbs shipped directly to their home.

### **1308.3 Application Process**

Once clients have been approved for an EAP benefit, the client will be asked if he or she wishes to participate in survey. Clients who wish to participate will be asked their primary cooling source and estimated year that their home was built.

For information on completing the survey, see the appendix for a copy of the training document. LSP will send a weekly report that includes the clients' name, address,

Duke Account number, number of household residents, primary heating and cooling sources, estimated year the home was built, dwelling type, and housing status.

Once eligibility has been verified, households will receive their kits within four to six weeks of the application date.

#### **1308.4 Program Administration**

To become a participating program administration, agencies must have clients that use Duke Energy as a utility vendor. The agency must sign and return a statement of work (SOW) and master service agreement (MSA). Agencies must agree to the terms and conditions listed in the SOW and MSA and agree to transmit a weekly report to Duke Energy.

Each participating agency will receive \$1.00 for each eligible client that receives a light bulb kit. Please send your mailing address and federal tax ID or equivalent to IHCD and/or Duke Energy. We must have this information to issue compensation.

#### **1308.5 Reporting**

Agencies are required to send a weekly report to Duke Energy via the FTP secured website. Reports are due by the close of business each Friday. Once the SOW and MSA have been approved by Duke Energy, agencies will receive a username and password to enter the system. User ID and Password information will be updated on a regular basis and sent to agencies via email every 60-90 days. Agencies will run the CFL report in RIAA and send it to Duke via the FTP secured website at <https://sftp.duke-energy.com/human.aspx>.

For information about submitting the weekly reports, see the appendix for a copy of the training document.

### **SECTION 1400 REPORTS**

#### **1401 REPORTING**

##### **1401.1 Weekly Cumulative Call-In Report (LSP Internal Use)**

All reports should be completed using the Roeing Initial Assistance Application (RIAA). The template for the weekly report remains as follows:

##### **WEEKLY REPORT**

Agency Name  
LSP Person Reporting  
HCS Person reporting

Report Ending  
Date/Time of Report  
Projected Ending Date

**Heating Assistance**

Budgeted amount

Funds obligated to-date

Total number of households served

**Crisis Assistance**

Budgeted amount

Funds obligated to-date

Total number of households served

**Summer Cool**

Budgeted amount

Funds obligated to date

Total number of HHs served

Number of air conditioners distributed

Number of households receiving electric benefit

**Other Amounts**

Energy Education budgeted amount

Energy Education kits purchased

Energy Education kits distributed

**Applications**

For the week ending:

Year to date:

Approved

Approved

Incomplete

Incomplete

On Appeal

On Appeal

Denied

Denied

All numbers reported should be cumulative. By providing year-to-date data, all adjustments made, i.e., reduction in amount obligated due to a client's ineligibility, will be included in your most recent report.

The word "obligated" means those funds, which have been committed to approved clients. It should include *every* benefit dollar awarded, not just those benefits which have been paid-to-date. It is very important that the figures reported are inclusive of all applications, even those which are pending the appeals process.

## **1401.2 Statistics Report**

The Statistics Report tracks each agency's budget, clients served, and demographic data by grant and by funding source-heating, crisis, and cooling.

The Funding Summary tracks the approved budget, funds obligated, and remaining funds (potential carryover), by funding source. The heating and crisis budgets should be combined to calculate funding for the winter season. In the summer, cooling should be used.

The report provides the number of households served, members served, and demographic data about those households. The demographic data includes: female/male head of households, at risk populations, race/ethnicity, income, primary heating source, poverty level, and funds spent and clients served by county.

## **1401.3 Hold Status Report**

The Hold Status Report is designed to track clients who are on hold because they are eligible for EAP benefits, but there is no funding available. These clients are eligible for moratorium protection while the agencies await their federal allocation.

To run this report, go to Reports, and then Clients. An additional menu will appear. Scroll down to Client Type Reports. A new menu will appear. Click on Status, and a query box will appear.

In the bottom left corner of the box, the agency must select a status. Choose "ON HOLD". The report requires a date range for the information.

## **1401.4 Duke CFL Report**

The Duke CFL Report is run by IHCD to gather confirmation of Duke LED/CFLs provided to the clients.

## **1401.5 Summer Air Conditioners Report**

According to the Summer Cool Assistance Program guidelines, Clients who received air conditioners between FY 2010-2015 are ineligible to receive a new air conditioners. To run a report of these ineligible clients, agencies should run a client report.

Go to Reports, then Clients. An additional menu will appear. Scroll down to Client Type Reports. A new menu will appear. Click on Receiving A/C.

The agency must enter a date range for the report. For clients that are ineligible between **FY 2011 and FY 2016**, enter the start date as **6/1/2011** and end date as **9/30/2016**.

**Note:** The date range will correspond to the beginning (i.e. 6/1) and end (i.e. 9/30) of the summer cool year that you are pulling date.

#### **1401.6 Unpaid Transmittals**

The Unpaid Transmittals Report tracks transmittals that have been run and/or submitted to fiscal, but have not been paid by IHCD. Agencies should use this report to assist in reconciling the agency's program budget.

To run this report, go to Clients, and then Transmittal Reports. A menu will appear. Click on Unpaid transmittals.

#### **1401.7 Application Actions Report**

The Application Actions Report is used to track clients who have participated in Energy Education. To run the Application Actions Report, go to Client, and then Application Actions Report. A box will appear.

In the bottom left corner of the box, you will see two small boxes. First, select an action-Energy Education/kits. Then, select the location. To ensure that you pull all offices, agency should select All.

This report must be submitted with agency's claim for energy education dollars.

For FY2017, below are new application actions that should be tracked where applicable at LSPs.

- Enrolled in Family Development

Current enrollment in Family Development is defined as one who is actively working with a Family Development Case Manager on short or long term goals. The type of funding utilized should also be captured here.

A Short Term client is defined as one who works with a Case Manager for less than 1 year.

A Long Term client is defined as one who works with a Case Manager for more than 1 year.

Funding utilized: EAP, CSBG and/or other

- Discontinued

A Discontinued client can be one who voluntarily withdrew from the Family Development program.

- A discontinued client can be one who terminated due to non-compliance.

- A Discontinued client can also be one who was unable to continue due to lack of agency funding.
- **Completion**  
A client who is considered to have completed the Family Development program is one who:
  - Is now at 125% of the poverty guideline (for CSBG/Other Family Development) and has completed all program goals per plan.
  - Is now at 150% of the poverty guideline (for EAP Family Development) and has completed all program goals per plan.
- **Completed Energy Education**  
As defined by EAP guidelines/manual
- **Previously enrolled in Family Development and progressing**  
This category is defined as a client who is actively working towards goals. Information to be captured would be the duration of the case management involvement as indicated below:
  - more than 2 years
  - more than 3 years
  - more than 4 years
  - more than 5+ years

## **1401.8      Utility Data Usage Tracking**

The Utility Data Usage Tracking Report is run by IHCD for Performance Measures for all LSPs on an annual basis. IHCD completes energy usage reporting which is submitted to the US Department of Health and Human Services annually. The Utility Data Usage Tracking report is a helpful tool to track.

This information will be used to calculate the average annual energy use by household to ensure EAP benefits are distributed to clients with the lowest income and highest energy burden. The EAP Application and Landlord Affidavit will include a disclosure.

## **1401.9      Unpaid Claims Report**

The Unpaid Claims Report tracks claims that have been generated by the LSP but have not been submitted to IHCD. This report will assist in closing out transmittal errors or sending payments to be processed.

To run this report, go to Clients, and then Application Type Reports. Click on Unpaid Claims. IHCD recommends running this report monthly.

## **1401.10 Over Income Report**

The Over income report tracks clients who were awarded benefits but who were over the 150% household income threshold. LSPs should resolve all instances where clients are above the 150% income limit. Please see sections xyz for more guidance.

To run this report, go to Clients, and then Benefits by poverty report

## **1401.11 LIHEAP Performance Data Collection**

LSPs are required to collect and enter the data below into RIAA.

1. Households that do not have service because they are disconnected
2. Households that do not have service because they are out of fuel
3. Households that do not have service because they have inoperable equipment

This data should be entered into RIAA during the intake process in which all other income and eligibility data is entered into RIAA.

\*\*\* These data collection elements are mandatory new requirements from Health and Human Services, the federal funding agency for LIHEAP.

## **SECTION 1500 INDIANA HOME ENERGY ASSISTANCE PROGRAM**

Effective July 1, 2012, the Indiana State Legislature enacted HEA 1141, which created the new Indiana Home Energy Assistance Program, or "State EAP". The State EAP Program is funded by the multistate mortgage settlement fund. This program will provide home energy assistance to homeowners. Renters are excluded as benefit recipients. A homeowner is a household that has a contract or deed on file with county recorder's office. The program will use the same eligibility standards as the Low Income Home Energy Assistance Program (LIHEAP).

### **1501.1 State Funding**

No later than September 1, IHCD will report the total amount of funds expended in LIHEAP benefits during the previous state fiscal year (July 1 to June 30) to the Office of the Lieutenant Governor. The Office of the Lieutenant Governor will report this information to the State Budget Agency. The State Budget Agency will determine the gross tax revenue collected during that state fiscal year, based on the amount of LIHEAP benefits expended. The State Budget Agency will remit payment, equal to amount of the gross tax revenue collected, to the Office of the Lieutenant Governor no later than October 1. The funds will be sent to IHCD to administer the program.



Upon receipt of the funds, IHCD will distribute funds based on the percentages used in the LIHEAP allocation of the previous year for state administrative expenses and weatherization. The remaining funds will go toward the agency allocations.

- State Administrative Percentage- 1 Percent
- Weatherization Transfer Percentage – up to 25 percent
- Agency Allocation- remaining funds

## **1501.2 Agency Allocations**

The Agency Allocation will be distributed based on the following factors.

- Each agency will be given five (5) percent toward administrative expenses.
- Each agency will receive funding to provide each homeowner with \$60 toward the primary heating source. This factor will be based on the number of homeowners who received a LIHEAP benefit during the previous program year.

## **1501.3 Program Year**

The Indiana Home Energy Assistance Program will run parallel to the LIHEAP program. The program will begin on October 1 and end on September 30.

## **1501.4 State EAP Benefits**

Homeowners can receive up to three different benefits from the program: regular assistance to the primary heating source, crisis assistance, and weatherization.

**Homeowner Benefits:** Each homeowner who has applied for and has been approved for LIHEAP benefits is eligible to receive \$60 toward the primary heating bill. Funds will be allocated to each agency based on the number of homeowners served in the previous program year.

Agencies will add the additional \$60 to each homeowner's primary heating source as a separate benefit claim using "IHCD Regular" as the funding source. The funds should be added during the application process. For clients who were processed with mail applications, the agency must run a list of approved at-risk clients and apply the \$60 to homeowners only.

**Allowable Weatherization Activities:** Agencies will use the same eligibility and service standards set forth by the Low Income Weatherization Assistance Program that is funded with LIHEAP funds.

**Leveraging Fund: When available** each agency will receive funding toward leveraging types of activities. IHCD will use the most recent Census data to distribute

funds. These funds can be used for the following activities: deposits, reconnection fees, and fees associated with changing or adding a household resident to the utility bill. The agencies can provide assistance up to \$150 toward any balance that is not covered by the regular and crisis assistance provided by the LIHEAP funds. For unregulated utilities, agencies may not give a flat \$150 to unregulated utilities without supporting documentation or to prevent a second request for funding. Crisis assistance from this fund must be provided at the time of application only. In addition, State EAP funds administered after March 15 may be as Leveraging Funds to provide crisis assistance up to \$150. Agencies will add additional crisis assistance using "IHCD Crisis" as the funding source. If the client did not receive crisis at the time of application but is in need of crisis after March 15, to restore a disconnection; the LSP may apply the original \$150 crisis that was not used at the time of application in addition to the crisis amount they are currently eligible for after March 15, for a total up to \$300. LSP must document in the client files the need for applying the combined crisis amount.

Between March 16 and August 15, homeowners in crisis may request one additional crisis benefit up to \$150. The homeowner must present documentation that justifies the additional crisis assistance.

#### **1501.5 Closeout**

LSPs will receive a contract closeout form on September 1. LSPs must closeout and submit forms within 45 days of the end of the program year.

#### **1501.6 Carryover Funds**

Any funds that are not expended by the LSP will be returned to the program and redistributed during the next program year. The LSP will not carry over the funds in its budget during the next program year.